



## PERFORMANCE AUDIT REPORT

### Department of Safety and Homeland Security

*September 2019*

**Justin P. Wilson**  
*Comptroller of the Treasury*



**DIVISION OF STATE AUDIT**

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JUSTIN P. WILSON  
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September 3, 2019

The Honorable Randy McNally  
Speaker of the Senate  
The Honorable Cameron Sexton  
Speaker of the House of Representatives  
The Honorable Kerry Roberts, Chair  
Senate Committee on Government Operations  
The Honorable Martin Daniel, Chair  
House Committee on Government Operations  
and  
Members of the General Assembly  
State Capitol  
Nashville, TN 37243  
and  
The Honorable Jeff Long, Commissioner  
Department of Safety and Homeland Security  
25th Floor, William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Avenue  
Nashville, TN 37243-1102

Ladies and Gentlemen:

We have conducted a performance audit of selected programs and activities of the Department of Safety and Homeland Security for the period July 1, 2016, through June 30, 2019. This audit was conducted pursuant to the requirements of the Tennessee Governmental Entity Review Law, Section 4-29-111, *Tennessee Code Annotated*.

Our audit disclosed certain findings, which are detailed in the Audit Conclusions section of this report. Management of the Department of Safety and Homeland Security has responded to the audit findings; we have included the responses following each finding. We will follow up the audit to examine the application of the procedures instituted because of the audit findings.

This report is intended to aid the Joint Government Operations Committee in its review to determine whether the Department of Safety and Homeland Security should be continued, restructured, or terminated.

Sincerely,

A handwritten signature in black ink that reads 'Deborah V. Loveless'.

Deborah V. Loveless, CPA, Director  
Division of State Audit

DVL/szs  
19/058



Division of State Audit

## Department of Safety and Homeland Security

Performance Audit

September 2019

*Our mission is to make government work better.*

## AUDIT HIGHLIGHTS

### *Department of Safety and Homeland Security's Mission*

*To serve, secure, and protect the people of Tennessee.*

We have audited the Department of Safety and Homeland Security for the period July 1, 2016, through June 30, 2019. Our audit scope included a review of internal controls and compliance with laws, regulations, policies, procedures, and provisions of contracts or grant agreements in the following areas:

**Scheduled Termination Date:**

**June 30, 2020**

- driver services centers wait times,
- commercial driver license issuance,
- commercial driver license traffic convictions,
- REAL ID implementation,
- the Tennessee Highway Patrol dispatch system,
- pupil transportation,
- ignition interlock devices, and
- staff turnover analysis.

## KEY CONCLUSIONS

### FINDINGS

- Management did not accurately measure customers' wait times, and wait times at some driver services centers still exceeded the department's average wait time standard (page 16).

- Due to a lack of effective physical security measures, there is a heightened risk of theft, fraud, waste, abuse, and safety concerns at a Department of Safety and Homeland Security driver services center (page 22).
- Driver Services Center staff did not ensure that adequate proof of residency was obtained before issuance of commercial learner's permits and commercial driver licenses (page 26).
- Pupil Transportation Division management did not have consistent policies for the bus inspection process (page 47).
- As noted in the prior audit finding, Ignition Interlock Device Unit management did not ensure IID monitoring reports and participant certification of compliance forms were complete in accordance with department rules (page 56).

## **OBSERVATIONS**

The following topics are included in this report because of their effect on the operations of the Department of Safety and Homeland Security and the citizens of Tennessee:

- Local courts' delays in sending traffic violation convictions affect the Driver Services Division's ability to meet the federal reporting guidelines for commercial driver license traffic convictions (page 27).
- Tennessee achieved full compliance with the REAL ID Act (page 34).
- Department leadership should ensure its new dispatch system adequately addresses deficiencies and concerns noted in its current system (40).

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## INTRODUCTION

### AUDIT AUTHORITY

This performance audit of the Department of Safety and Homeland Security was conducted pursuant to the Tennessee Governmental Entity Review Law, Title 4, Chapter 29, *Tennessee Code Annotated*. Under Section 4-29-241, the department is scheduled to terminate June 30, 2020. The Comptroller of the Treasury is authorized under Section 4-29-111 to conduct a limited program review audit of the agency and to report to the Joint Government Operations Committee of the General Assembly. This audit is intended to aid the committee in determining whether the department should be continued, restructured, or terminated.

### BACKGROUND

In 1939, the General Assembly established the Department of Safety to exercise authority over the Tennessee Highway Patrol. Over the last 80 years, the department has evolved into a multi-faceted agency responsible for ensuring the safety and general welfare of Tennessee's citizens. Today, the department's general areas of responsibility include law enforcement; commercial vehicle enforcement; criminal investigations; homeland security; safety education; driver license services; handgun permit services; and traffic safety initiatives. In 2007, the Governor's Office of Homeland Security merged into the Department of Safety by Executive Order 48, creating the Department of Safety and Homeland Security. In 2016, the Governor's Highway Safety Office became the Tennessee Highway Safety Office and merged into the Department of Safety and Homeland Security.

The Department of Safety and Homeland Security's organizational chart is on page 7.

In order to accomplish its mission to serve, secure, and protect the people of Tennessee, the department is organized into five main divisions: **the Tennessee Highway Patrol, Driver Services, the Office of Homeland Security, the Tennessee Highway Safety Office, and the Administrative Division**. Headquartered in Nashville, the department maintains statewide presence with more than 50 field offices throughout the state. Approximately half of the department's more than 1,800 employees are commissioned law enforcement officers.

### Tennessee Highway Patrol

The Tennessee Highway Patrol's (THP) primary responsibility is enforcing motor vehicle laws along with investigating traffic crashes. The THP is organized into the following functional areas: the Field Operations Bureau, the Administrative Support Bureau, the Protective Services and Special Programs Bureau, and the Special Investigations Bureau.

#### Field Operations Bureau

The THP maintains a strong presence across the state. Troopers are assigned to each of Tennessee's 95 counties to patrol highways and enforce all motor vehicle laws. Organized into



eight districts, the THP Field Operations Bureau has headquarters in Chattanooga, Cookeville, Fall Branch, Jackson, Knoxville, Lawrenceburg, Memphis, and Nashville.

### Administrative Support Bureau

#### *Research, Planning, and Development*

The Research, Planning, and Development Division supports department-wide initiatives and mandates and assists in creating and providing policies and procedures to all department employees. This division is also responsible for compiling the department's annual reports; administering the Ignition Interlock Device Program; providing support for and managing grants, forms, and publications; and contributing legislative analysis on the effectiveness and feasibility of various laws and initiatives.

#### *Training Center*

The Training Center, which includes the Learning and Development Division, serves as the department's education hub. The center is responsible for planning, coordinating, and conducting training for the department's commissioned and non-commissioned personnel, as well as assisting outside agencies with various training requests. Training conducted by the Training Center includes in-service training, specialized schools, firearms recertification, the Traffic Incident Management System, and cadet school.

The Training Center is also under the oversight of the Tennessee Peace Officer Standards and Training (POST) Commission<sup>1</sup> for its commissioned officers and is certified as one of nine accredited law enforcement academies across the state.

#### *Tennessee Integrated Traffic Analysis Network (TITAN) Unit*

TITAN is a suite of tools developed for the electronic collection, submission, and management of all traffic safety-related data in Tennessee. TITAN consists of a centralized data and document repository for public safety information managed by the department. Department personnel and local law enforcement agencies use this information to make data-driven decisions and help make Tennessee a safe and secure place to live, work, and travel.

#### *Special Operations Unit*

Members of the Special Operations Unit are trained in specialized areas and are deployed to help other members complete specific duty-related tasks. The Special Operations Unit consists of six units:

- The Aviation Unit is responsible for air support and related responsibilities that assist the department and other public safety agencies.

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<sup>1</sup> The POST Commission, under the Tennessee Department of Commerce and Insurance, serves as the primary regulatory body for Tennessee law enforcement. It develops and enforces statewide standards for law enforcement agencies, including physical, educational, and proficiency skills requirements for both employment and training.

- The Special Weapons and Tactics Unit consists of specially equipped troopers who provide security for dignitaries and respond to hostage situations, barricades, high-risk searches and arrests, prison riots, and other incidents that require the use of high-powered and automatic weapons.
- The Explosive Ordnance Disposal Unit locates and neutralizes suspected bomb devices and their components and destroys old and unstable explosives.
- The Public Safety Divers Unit has certified divers who search for drowning victims, victims of felonious crimes, murder weapons, and stolen vehicles.
- The Search and Rescue Unit performs search and rescue missions that include using a helicopter hoisting system or rappelling from cliffs.
- The Canine Unit uses specially trained dogs to detect explosives and drugs and to track wanted or missing persons.

### *Motorcycle Rider Education Program*

The Motorcycle Rider Education Program is responsible for rider education and other motorcycle issues, including public awareness initiatives, information regarding the effects of alcohol and drugs, and licensing procedures.

### *Recruitment and Accreditation Division*

The Recruitment and Accreditation Division's mission is to recruit, attract, and retain commissioned members into law enforcement career paths for the THP, and to maintain the department's accreditation through the Commission on Accreditation for Law Enforcement Agencies, Inc. and the Tennessee Law Enforcement Accreditation Program.

### Protective Services and Special Programs Bureau

The Protective Services and Special Programs Bureau oversees the units and divisions of the THP responsible for the safety of citizens, government officials, state employees, and state facilities. The Protective Services and Special Programs Bureau consists of the following units and divisions:

- The Protective Services Division is responsible for protecting the Governor, legislators, justices, and other dignitaries, as well as the state capitol and state employees. This division also works with state agencies to help provide instruction on bomb threats, personal safety, mail handling procedures, and responses to violent intruders.
- The State Facility Protection Unit is organized to provide a secure environment for visitors and state agencies to conduct business. The unit is authorized to conduct investigations and make arrests for public offenses committed on state property.
- The Special Programs Unit conducts a wide range of activities aimed at saving lives and reducing injuries on Tennessee roadways. Knowledgeable about numerous traffic safety topics and techniques, safety education officers in each THP district meet with

schools, civic organizations, and businesses to improve highway safety throughout the state. The unit is also actively involved in the Drug Abuse Resistance Education (D.A.R.E.) program, which gives Tennessee's schoolchildren the skills they need to avoid involvement in drugs, gangs, and violence.

- The Commercial Vehicle Enforcement Division under the Special Programs Unit works to ensure the safe and legal operation of commercial vehicles in Tennessee. The division operates six commercial vehicle inspection sites throughout the state. Major enforcement activities include inspecting commercial vehicles and driver logs, patrolling highways with a focus on truck traffic violations, and weighing commercial vehicles both at interstate inspection stations and with portable scales along the highway. In addition, the Pupil Transportation Section within the division performs school-bus driver training, school-bus inspection, and driver records administration to ensure schoolchildren are transported safely to and from school.
- The Handgun Permit Unit issues, denies, suspends, and revokes handgun carry permits, and it also regulates handgun safety schools and instructors to ensure compliance with state and federal law.

### Special Investigations Bureau

The Special Investigations Bureau consists of three specialized units:

- The Criminal Investigation Unit investigates crimes such as motor vehicle theft, odometer tampering, driver licensing fraud, and vehicular homicide. The unit also provides investigative support to the Inspectional Services Bureau and conducts investigations as requested by the Director of the Tennessee Bureau of Investigation and approved by the Commissioner of Safety and Homeland Security.
- The Critical Incident Response Team's primary responsibility is to assist the department and other law enforcement agencies in investigating and reconstructing serious motor vehicle traffic crashes. The team is also responsible for investigating all traffic criminal homicide cases that the THP handles.
- The Identity Crime Unit investigates identity crime and assists federal, state, and local agencies with investigating certain identity crimes. The unit helps crime victims contact relevant investigative and consumer protection agencies and also provides the public with information to raise awareness and deter identity crimes.

### **Driver Services Division**

The primary focus of the Driver Services Division is to issue driver licenses and identification cards to qualified applicants. The division maintains and staffs 44 driver services centers across the state and partners with county clerks and municipal governments to provide identification cards, licenses, and renewal services. The division also offers citizens the option to renew or replace their license online or to use self-service kiosks located across the state. In addition to issuing driver licenses, the division is responsible for processing handgun carry permit

applications, handling voter registration, issuing driving records, and managing organ donation commitments.

The Financial Responsibility Section administers the Financial Responsibility Law by coordinating all cancellations, revocations, and suspensions of driver licenses as a result of crashes, traffic violations, or other offenses including truancy, Drug-free Youth Act violations, alcohol use, weapons possession, child support delinquencies, failure to appear in court, and driving without insurance. Once the driver is eligible to regain driving privileges, the Financial Responsibility Section verifies the person's eligibility, collects the appropriate fees, and reinstates the driver's license. This section also maintains driving records that include in-state and out-of-state violations by Tennessee licensed drivers.

The Commercial Driver License Issuance Section oversees the testing and issuing of commercial driver licenses. In addition, this section maintains commercial driver records including commercial vehicle convictions submitted by the courts.

### **Office of Homeland Security**

The Office of Homeland Security has primary responsibility and authority for directing the state's homeland security activities including planning, coordinating, and implementing all homeland security prevention, protection, and response operations. The office develops and implements a comprehensive strategy to secure the state from terrorist threats and attacks.

The office serves as a liaison to related agencies of government (federal, state, and local) and private sectors on homeland security matters. In partnership with the Tennessee Bureau of Investigation, the office operates the Tennessee Fusion Center, an intelligence-gathering center that enhances the state's ability to detect, prevent, and respond to criminal and terrorist activities, and to apprehend the individuals responsible. The office works closely with 11 Homeland Security districts throughout the state to provide organized, coordinated, multi-county teams that maximize efforts to prevent, protect against, and respond to manmade or natural incidents.

### **Tennessee Highway Safety Office**

The Tennessee Highway Safety Office's mission is to develop, execute, and evaluate programs to reduce the number of fatalities, injuries, and related economic losses resulting from traffic crashes on Tennessee's roadways. To achieve its mission, the office works to improve driver behavior through increased education, enforcement, and community partnerships. The office partners with the National Highway Traffic Safety Administration to implement programs focusing on occupant protection; impaired driving; speed enforcement; pedestrian and bicycle safety; and crash data collection and analysis. Programs administered by the Tennessee Highway Safety Office are fully federally funded.

### **Administrative Division**

The Administrative Division consists of the Communications Division, Facilities Management, Fiscal Services, Human Resources, Information Technology Services, the Office of

Professional Accountability (which manages the investigative and disciplinary processes for the department), Internal Audit, and Legal Services. Together, they provide administrative support for the day-to-day operation of the department.

See **Appendix 1** on page 62 for a list of the department's business unit codes in Edison.

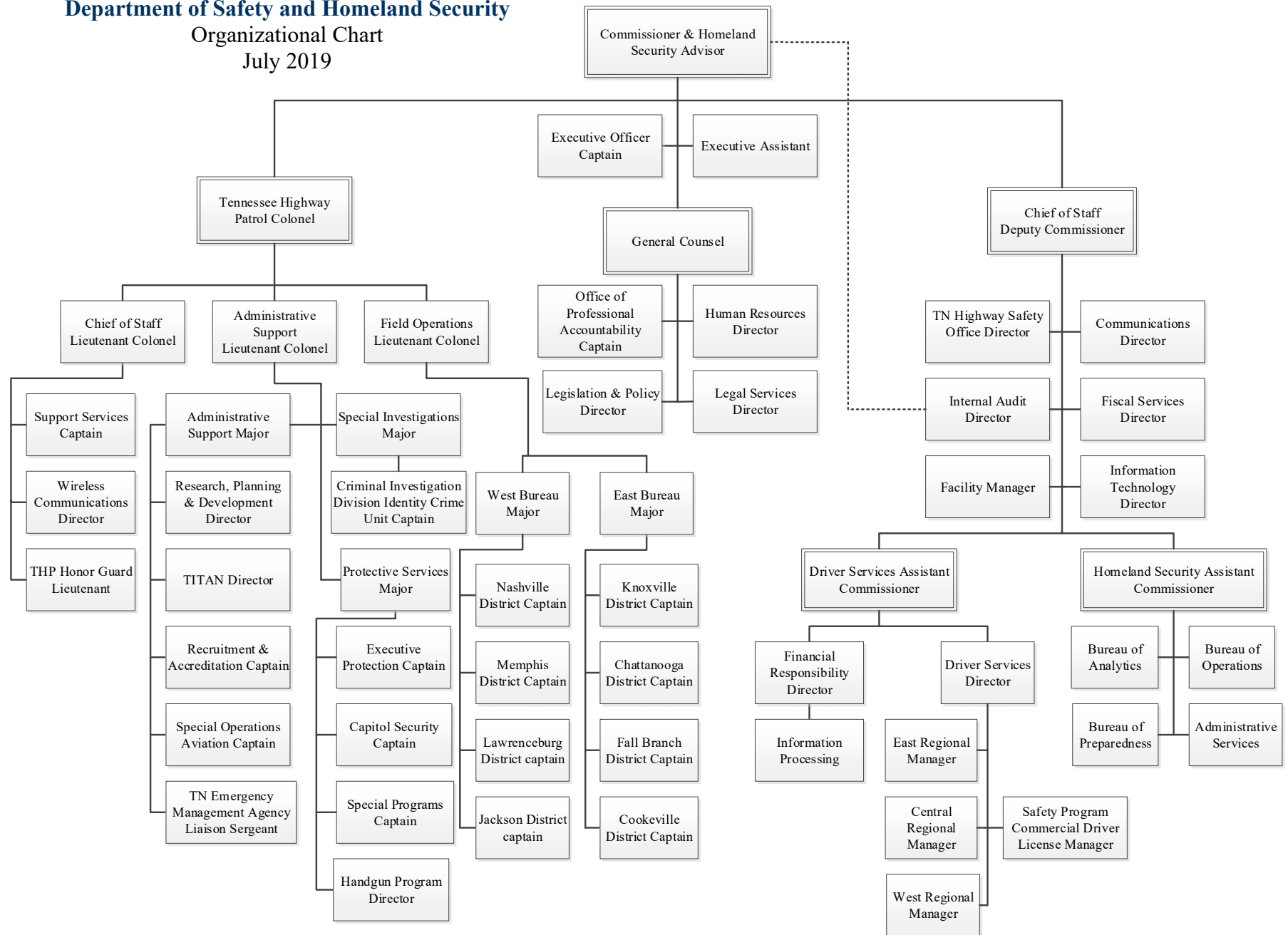
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### **Revenues and Expenditures**

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See **Appendix 5** on page 67 for the department's expenditures for the audit period.

**Department of Safety and Homeland Security**  
**Organizational Chart**  
**July 2019**



Source: Provided by Department of Safety and Homeland Security management.

## AUDIT SCOPE

We have audited the Department of Safety and Homeland Security for the period July 1, 2016, through June 30, 2019. Our audit scope included a review of internal controls and compliance with laws, regulations, policies, procedures, and provisions of contracts or grant agreements in the following areas:

- driver services centers wait times,
- commercial driver license issuance,
- commercial driver license traffic convictions,
- REAL ID implementation,
- the Tennessee Highway Patrol dispatch system,
- pupil transportation,
- ignition interlock devices, and
- staff turnover analysis.

Department management is responsible for establishing and maintaining effective internal control and for complying with applicable laws, regulations, policies, procedures, and provisions of contracts and grant agreements.

For our sample design, we used nonstatistical audit sampling, which was the most appropriate and cost-effective method for concluding on our audit objectives. Based on our professional judgment, review of authoritative sampling guidance, and careful consideration of underlying statistical concepts, we believe that nonstatistical sampling provides sufficient, appropriate audit evidence to support the conclusions in our report. Although our sample results provide reasonable bases for drawing conclusions, the errors identified in these samples cannot be used to make statistically valid projections to the original populations. We present more detailed information about our methodologies in the individual sections of this report.

We conducted our audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

## PRIOR AUDIT FINDINGS

### REPORT OF ACTIONS TAKEN ON PRIOR AUDIT FINDINGS

Section 8-4-109(c), *Tennessee Code Annotated*, requires that each state department, agency, or institution report to the Comptroller of the Treasury the action taken to implement the recommendations in the prior audit report. The Department of Safety and Homeland Security's prior audit report was dated October 2016 and contained two findings. The department filed its six-month follow-up report with the Comptroller of the Treasury on April 27, 2017. We conducted a follow-up of the prior audit findings as part of the current audit.

### REPEATED AUDIT FINDINGS

The prior audit report contained a finding stating that the Department of Safety and Homeland Security did not measure total wait times for driver license applicants at driver license stations. The current audit disclosed that the department again did not accurately measure customers' wait times. The prior audit report also contained a finding stating that the Ignition Interlock Device (IID) Program did not require monthly and final reports from participants before restoring licenses, nor did the program enforce application requirements for installers and installation site owners. The current audit disclosed that Ignition Interlock Unit management resolved the application enforcement issues but did not ensure IID monitoring reports and participants' certification of compliance forms were complete in accordance with department rules.



# Audit Conclusions

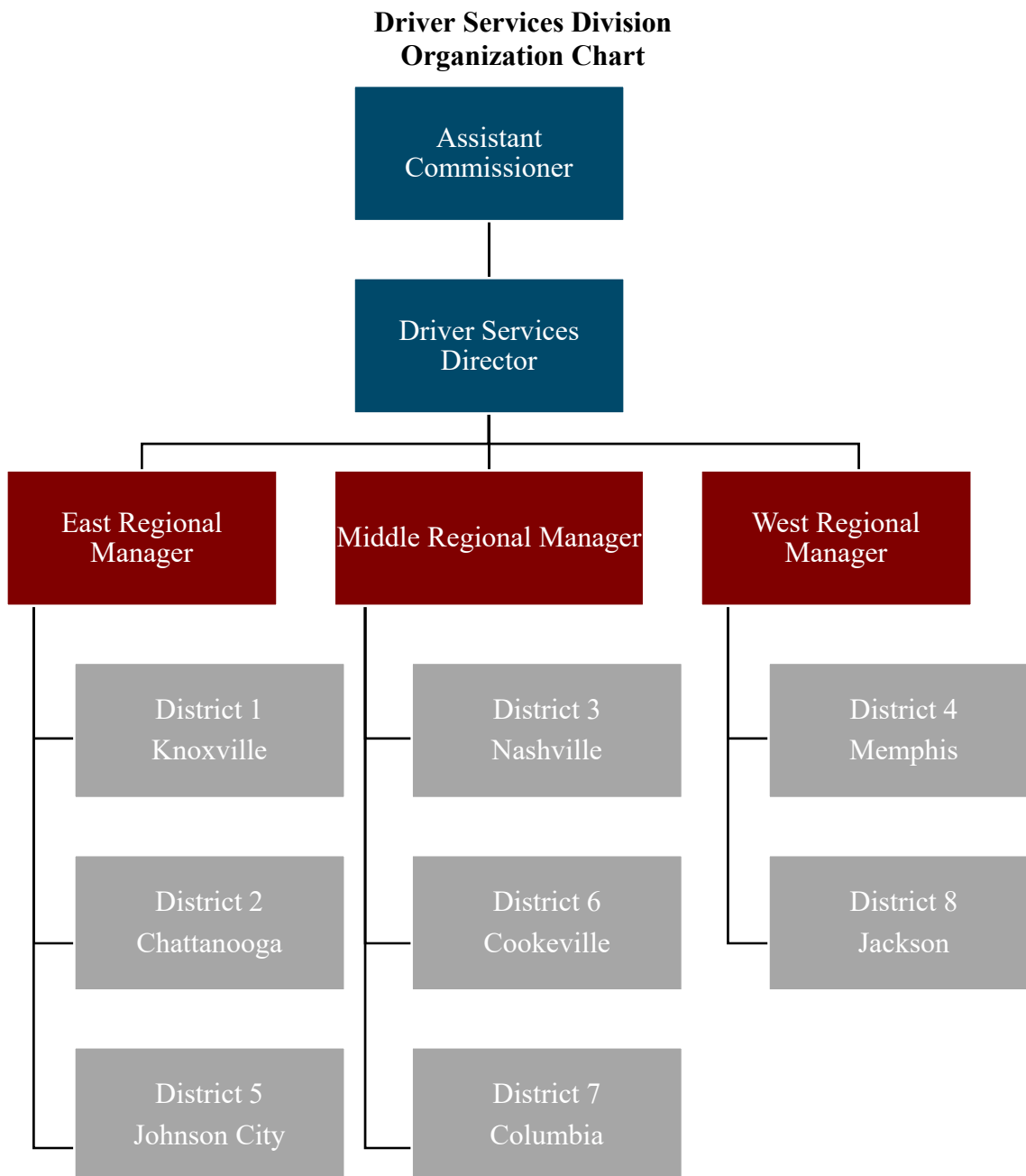


# Driver Services Division



## DRIVER SERVICES CENTERS

The Driver Services Division of the Department of Safety and Homeland Security is responsible for testing and issuing driver licenses to qualifying motorists, school-bus drivers, and commercial drivers.



Source: The Department of Safety and Homeland Security.

According to the division's Director, he visits the districts quarterly and conducts weekly meetings with the regional managers in Nashville. Additionally, the Internal Audit Division

performs risk-based performance audits of driver services centers to determine the centers' adherence to the department's policies and procedures.

### Driver Services Centers

The Driver Services Division oversees 44 driver services centers in 8 districts across the state. See page 14 for a map of the driver services center districts. The division's primary focus is to issue driver licenses and identification cards to qualified applicants. While citizens can visit a driver services center to obtain services, the division also offers alternatives to provide services to citizens. See **Table 1** for the driver services options.

**Table 1**  
**Service and Method Available**

Service	Driver Services Center	Mail	Online <sup>2</sup>	County Clerk Office	Tablets <sup>3</sup>	Self-Service Kiosk	Mobile Application
Original Driver License (DL) or Identification License (ID)	✓						
DL Renewal <sup>4</sup>	✓	✓	✓	✓	✓	✓	✓
Duplicate (Replacement) DL or ID	✓	✓	✓	✓	✓	✓	✓
DL Reinstatement <sup>5</sup>	✓	✓	✓				
Motor Vehicle Record	✓	✓	✓				
Knowledge and Road Skills Test	✓						
Handgun Permit Application	✓		✓				
Address Change	✓	✓	✓	✓			✓
Name Change	✓			✓			
Real ID	✓						
Voter Photo ID	✓						

Source: Department of Safety and Homeland Security website.

According to division management, during fiscal year 2018, the driver services centers served 1.4 million customers and processed 1.5 million transactions. Each fiscal year, division management sets a performance standard for the average wait time per transaction. The standard is determined based on factors such as staffing levels and services provided at the centers. The

<sup>2</sup> Department's website: <https://dl.safety.tn.gov/>.

<sup>3</sup> Driver services centers use electronic tablets to process transactions that do not require a visit to the service window.

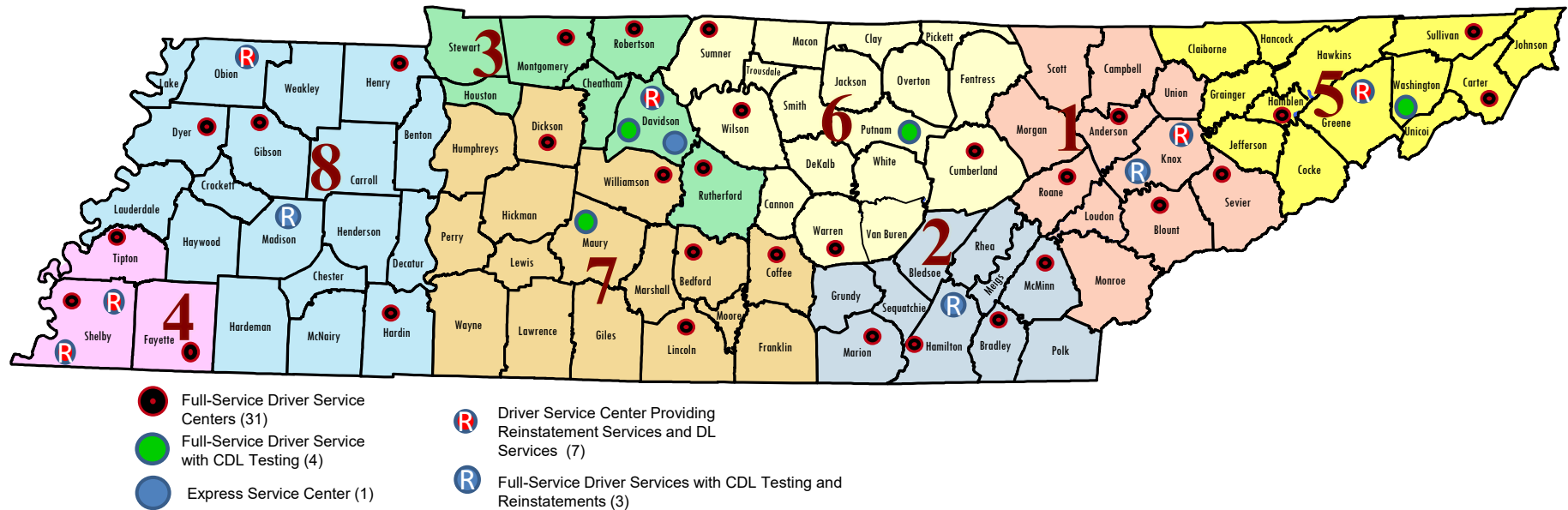
<sup>4</sup> Drivers holding a Class A, B, or C commercial driver license are required to appear in person at a driver services center and provide their current, valid U.S. Department of Transportation medical card to renew or replace their license. Temporary Driver License and Temporary Identification License holders are also required to appear in person and provide proof of legal presence and Tennessee residence at the time of renewal or replacement.

<sup>5</sup> Driver license reinstatement is available in eight driver services centers.

average wait time standards for fiscal years 2017, 2018, and 2019 are 16, 24, and 24 minutes, respectively.

As of January 23, 2019, the Driver Services Division had 432 employees, including 265 Driver License Examiners and Managers and 167 employees at the central office in Nashville.

## Driver Service Centers by District



Source: Department of Safety and Homeland Security as of July 25, 2019

## Staff Turnover

Our staff turnover analysis shows that the division had 86 staff separations in fiscal year 2017 and 72 in fiscal year 2018. See **Staff Turnover Analysis** on page 60.

## Results of Prior Audit

In the department's October 2016 performance audit, we reported that the Driver Services Division did not accurately measure total wait times for driver license applicants at driver services centers. Specifically, the Driver Services Division did not include the time customers waited to obtain a service ticket as part of the total wait time. Management stated that they were aware of the issue of customer wait time to obtain a service ticket and were in the process of implementing a queueing system that would allow customers to immediately check in at a driver services center using a touch-screen kiosk. As a result, customer wait time measures would start at check-in and continue until the customer reached the examiner.

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## **Audit Results**

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**Audit Objective:** In response to the prior audit finding, did division management develop a process to measure customers' wait times at driver services centers?

**Conclusion:** Management developed a process to measure customers' wait times at driver services centers and contracted with a vendor to implement a queueing system; however, according to management, the vendor did not meet the expectations outlined in the contract. The division had issues with accurately measuring customers' wait times. In addition, wait times still exceeded standards at some driver services centers. See **Finding 1**.

As part of our audit fieldwork, we visited several driver services centers across the state. At one center, we noted physical security risks. Due to the nature of these risks, we have not identified the center or the risks. We have reported these concerns to management. See **Finding 2**.

## Methodology to Achieve Objective

To achieve our objective, we interviewed the Director of the Driver Services Division, Driver Services Division District Managers, and Driver Services Center Branch Managers to gain an understanding of the wait time measurement process. We reviewed the department's contracts with the former and current queueing system vendors. We also performed site visits at driver services centers in East, Middle, and West Tennessee to observe the centers' operations.

**Finding 1 – Management did not accurately measure customers’ wait times, and wait times at some driver services centers still exceeded the department’s average wait time standard**

**Background**

Since 2010, we have reported continued problems with wait times at driver services centers. In response to the Department of Safety and Homeland Security’s most recent audit released in October 2016, in January 2016 the department signed a five-year contract with a vendor to provide a customer queuing system, which was fully implemented in April 2017. The contract had a maximum liability of approximately \$1.5 million. With the new queuing system, customers may check in at a kiosk or information desk at the driver services center. Before the kiosks were installed, customers were required to stand in line to check in at the information desk for service. With the department’s implementation of the kiosks, customers have another option to check in, which minimizes the wait time compared to the traditional check-in process at the information desk.

**Vendor Hardware and Technical Issues**

During our audit fieldwork, we discussed the new system with management. According to management, the 2016 vendor was not meeting service level agreements in the contract; problems included inoperable kiosks and insufficient technical support for driver services centers. This resulted in prolonged system outages at some centers. In 2018, management decided to seek approval from the state’s procuring agency<sup>6</sup> to terminate the contract. Management’s request<sup>7</sup> for early termination of the contract stated,

the Contractor’s inability to meet contract requirements was well documented. Problems began almost from the start of the contract, but increased in volume and severity in October 2017, and are continuing to September 2018. Resolution efforts unfortunately have not been very successful. Technical issues with the Contractor’s system were not being addressed in accordance with the service level agreement requirements in the contract. The severity of the technical issues has dramatically increased while the efficiency of the system has dramatically decreased.

The Chief Procurement Officer approved the department’s request, and the department canceled the vendor’s contract effective October 24, 2018. The department paid the vendor only \$877,177 of its total contracted amount.

To ensure the department could effectively continue driver services, the department was forced to enter into an emergency contract with a new vendor in September 2018. Under the emergency procurement method, the department procured its emergency vendor through the sole-

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<sup>6</sup> The Central Procurement Office is the state’s procurement agency.

<sup>7</sup> The contract termination request form states: “If the procuring State Agency determines that early termination of a contract is in the State’s best interest, either for cause or convenience, then the State Agency head, or his or her designee, shall obtain the Chief Procurement Officer’s approval to terminate the contract. The procuring State Agency shall notify the Contractor of the contract’s termination only after it has obtained the Chief Procurement Officer’s approval.”



source procurement method, meaning the department did not have to follow the competitive procurement process to obtain the new vendor. The department's emergency procurement resulted in a new vendor contract with an 18-month contract term and a maximum liability amount of \$3 million dollars.

As part of the contract terms, the new vendor was required to install a new queuing system but use the former vendor's kiosks; however, as part of its contract, the new vendor would replace any kiosks that were not working. According to division management, during the transition to a new vendor, center staff had to revert to manually issuing service tickets to customers at the information desk; therefore, the division could not capture system data for wait times from August 2018 through December 2018. The new vendor was able to implement a new customer queuing system in January 2019.

When we performed site visits at driver services centers in East, Middle, and West Tennessee in May and June 2019, we found that some self-check-in kiosks were not functional due to technical issues (see **Figure 1**). Because of the ongoing technical issues with the kiosks, the division could not accurately measure customers' wait times from January 2019 through June 2019. According to the Driver Services Director, as of July 1, 2019, the new vendor has replaced 15 of the malfunctioning kiosks provided by the former vendor (see **Figure 1**). We will evaluate wait time data from the new vendor in the next performance audit when the new queuing system and kiosks are fully functional.

**Figure 1**  
**Inoperable Kiosks at Driver Services Centers**



Two of three kiosks were inoperable at location 1.



One of the three inoperable kiosks at location 2.



One of the two inoperable kiosks at location 3.

Source: Auditor photos from driver services centers.

### Wait Times Exceeded Standard

We obtained and reviewed the former vendor's monthly wait time reports for fiscal year 2018 for all 44 driver services centers. According to management, the division had set a 24-minute standard wait time for fiscal year 2018. Based on our review, the former vendor had provided data showing that the division's average wait times for services still exceeded the division's standard for some driver services centers. See **Table 2** for the monthly summary.

**Table 2**  
**Number of Driver Services Centers Exceeding Wait Time Standard**  
**From July 2017 Through June 2018**

<b>Month</b>	<b>Number of Centers With Wait Times Over Standard</b>	<b>Percentage of Centers With Wait Times Over Standard</b>	<b>Average Number of Minutes Over Standard</b>
July 2017	19	43%	17
August 2017	16	36%	17
September 2017	9	20%	6
October 2017	8	18%	5
November 2017	5	11%	9
December 2017	5	11%	6
January 2018	9	20%	8
February 2018	10	23%	10
March 2018	14	32%	15
April 2018	15	34%	13
May 2018	12	27%	9
June 2018	17	39%	16

Source: Monthly wait time reports from the former vendor's queuing system.

In addition, we found 11 of 44 driver services centers (25%) whose average wait time exceeded the standard time for more than six months during fiscal year 2018. See **Table 3** for the details at each driver services center.

**Table 3**  
**Number of Months Exceeding Wait Time Standard**  
**by Driver Services Center for Fiscal Year 2018**

<b>Driver Services Center</b>	<b>Total Tickets Served</b>	<b>Number of Months Over Wait Time Standard</b>	<b>Average Number of Minutes Over Standard</b>
Hart Lane	38,339	12	28
Hickory Hollow	82,653	12	22
Millington	29,322	11	7
Summer Avenue	72,141	10	14
Bonny Oaks	55,688	10	5
Franklin	49,252	9	7
Springfield	18,562	9	11

<b>Driver Services Center</b>	<b>Total Tickets Served</b>	<b>Number of Months Over Wait Time Standard</b>	<b>Average Number of Minutes Over Standard</b>
<b>East Shelby Drive</b>	110,869	8	20
<b>Maryville</b>	41,874	8	5
<b>Clarksville</b>	55,086	6	8
<b>Murfreesboro</b>	43,443	6	15
<b>Cookeville</b>	39,989	5	8
<b>Red Bank</b>	30,680	5	24
<b>Oakland</b>	42,722	4	5
<b>Oak Ridge</b>	39,748	4	4
<b>Cleveland</b>	33,661	4	7
<b>Paris</b>	17,093	2	2
<b>Union City</b>	17,757	2	12
<b>Rockwood</b>	17,894	2	6
<b>Athens</b>	31,954	2	2
<b>Dickson</b>	21,332	2	15
<b>Crossville</b>	28,301	1	6
<b>Jasper</b>	8,792	1	1
<b>Columbia</b>	55,170	1	5
<b>Shelbyville</b>	18,354	1	15
<b>Tullahoma</b>	23,206	1	4
<b>Nashville/Downtown</b>	15,139	1	2
<b>Covington</b>	21,117	0	-
<b>Dyersburg</b>	14,665	0	-
<b>Jackson</b>	48,952	0	-
<b>Savannah</b>	28,508	0	-
<b>Trenton</b>	14,081	0	-
<b>Sevierville</b>	41,561	0	-
<b>Strawberry Plains</b>	60,420	0	-
<b>West Knoxville</b>	32,202	0	-
<b>Gallatin</b>	55,472	0	-
<b>Lebanon</b>	42,659	0	-
<b>McMinnville</b>	29,161	0	-
<b>Blountville</b>	49,094	0	-
<b>Elizabethton</b>	30,340	0	-
<b>Greeneville</b>	35,513	0	-
<b>Johnson City</b>	44,526	0	-
<b>Morristown</b>	48,414	0	-
<b>Fayetteville</b>	14,907	0	-

Source: Monthly wait time reports from the former vendor's queuing system.

According to division management, the contributing factors for wait time issues are increasing volume and complexity of transactions, as well as staff shortages at the driver services centers. Without fully functional hardware, management cannot capture customers' true wait

times at driver services centers and cannot accurately evaluate driver services centers' performance to address ongoing wait time issues.

### **Recommendation**

Management should ensure that the vendor's queuing system and hardware are fully functional and that the vendor meets service level agreements as required in its contract. Management should address customer wait times at driver services centers not meeting the department's performance standard.

### **Management's Comment**

#### **Queuing System**

We concur with the finding. The management team will continue to collaborate with the state's new queuing vendor to ensure the queuing system and hardware are fully functional. The division's primary goal will be to ensure the vendor is meeting the service level agreements as outlined in the vendor's contract.

The management team will meet weekly and monthly to ensure all outstanding issues are corrected immediately and/or escalated to senior management. The division will also continue to evaluate options available via the vendor to improve and streamline the customer experience.

The vendor and the management team will continue to review needs, map out and analyze improvement processes, acquire necessary resources, implement changes, and review and measure process improvements in an effort to ensure system performance is in alignment with achieving division goals.

#### **Wait Time**

We concur with the finding. The analysis outlined in **Table 2** indicates there were approximately **75%** of the driver services centers meeting the division's standard. Additionally, the wait time analysis outlined in **Table 3** indicates there were approximately **75%** of the driver services centers achieving the standard for more than six months out of the year.

Based on continued analysis, the department will strategically examine and target the centers (**25%**) where the standard was not met on a consistent basis. Strategic evaluations of these centers will continue on a weekly, monthly, and annual basis to ensure all options and alternatives are pursued to meet defined performance standards.

Evaluations will consist of reviewing peak times (daily, monthly, and yearly) to ensure centers are adequately staffed; geographical analysis of centers to determine their effectiveness; resource allocation to determine if services provided are being met with appropriated resources; and transactional analysis in an effort to move toward achievement of standard(s).

**Finding 2 – Due to a lack of effective physical security measures, there is a heightened risk of theft, fraud, waste, abuse, and safety concerns at a Department of Safety and Homeland Security driver services center**

During our observation of driver services center operations and inquiry of personnel, we noted several security concerns involving safeguarding Department of Safety and Homeland Security personnel and assets at one center. Due to a lack of effective physical security measures to safeguard personnel and assets, management cannot ensure that this center is safe and secure for operation.

The details of this finding are confidential pursuant to Section 10-7-504(i), *Tennessee Code Annotated*. Additionally, pursuant to Standard 7.41 of the U.S. Government Accountability Office's *Government Auditing Standards*, certain information was omitted from this report because that information was deemed to present potential risks related to public safety, security, or the disclosure of private or confidential data. We provided the department with detailed information regarding the specific conditions we identified, as well as the related criteria, causes, and our specific recommendations for improvement.

**Recommendation**

The Commissioner and the Director of Driver Services should promptly address the security risks and take any required corrective action.

**Management's Comment**

We concur with the finding. The department has delivered a full confidential response outlining the action steps to be taken with regards to the driver services center noted.

**COMMERCIAL DRIVER LICENSES**

**Background**

The Department of Safety and Homeland Security's Driver Services Division is responsible for administering the commercial driver license (CDL) program. Section 55-50-404, *Tennessee Code Annotated*, requires all drivers of commercial motor vehicles to hold a CDL to operate larger and more complex vehicles. Driving a commercial motor vehicle requires the driver to have a higher level of driving ability than driving a non-commercial vehicle. Per the *Tennessee Commercial Driver's License Manual*, a CDL is required to operate

1. Any single vehicle with a gross vehicle weight rating (GVWR) of 26,001 pounds or more.
2. Any combination vehicle with a gross combination weight rating of 26,001 or more pounds, if the trailer(s) has a GVWR of 10,001 or more pounds.

3. Any vehicle designed to transport more than fifteen (15) passengers in addition to the driver, or if the vehicle is used as a school bus, regardless of the weight of the vehicle.
4. Any size vehicle which requires hazardous material placards, or is carrying material listed as a select agent or toxin in 42 CFR [*Code of Federal Regulations*] part 73.

To obtain a CDL, an applicant must first pass the CDL general knowledge test and obtain a commercial learner's permit. Select driver services centers can issue both a commercial learner's permits and CDLs.

The applicant must then schedule a CDL road skills test, which consists of a pre-trip inspection, basic control maneuvers, and a road test. The test must be completed either at a driver services center that has CDL examiners and a CDL pad (space at the center to conduct the CDL road skills tests) or at a certified CDL third-party testing program participant.

#### *Third-Party Testing Program*

The department contracts with third-party participants to help alleviate the volume and wait times of training and testing applicants for driver licenses and CDLs. The third-party participants are authorized to administer tests and training for the CDL, in accordance with the department's rules and regulations for CDLs and the *Tennessee Commercial Driver License Manual*. Once an applicant passes the test with the third-party participant, the applicant must visit a driver services center to have the CDL issued. As of May 2019, there were 46 third-party testing participants approved to test and train for CDLs.

#### Residency Requirement for Commercial Driver Licensing

When applying for a CDL learner's permit, the applicant must submit proof of residency before receiving a permit. Tennessee drivers must have a valid medical certification card; proof of a Social Security number; a Tennessee driver's license or ID, or a valid driver license or CDL from another state; proof of domicile (residency) in Tennessee; and proof of U.S. citizenship or lawful permanent resident status. Applicants for a learner's permit or CDL are required to present two proofs of residency. The department's website lists documents that are acceptable and unacceptable for residency. All documents must be original and include a Tennessee residential address, and the same residential address must be on each document. Residency may also be established through proof of relationship to an immediate family member who also holds a valid Tennessee driver license or ID. Even with a qualifying family member, the applicant must still provide two proofs of residency in the name of the immediate relative; the relative must be present at the time of application; and the applicant must provide proof of the relationship, such as a marriage certificate or birth certificates. Driver services center staff upload these documents into the department's Automated License Issuance System for Tennessee (A-List).<sup>8</sup>

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<sup>8</sup> A-List is a comprehensive, integrated suite of applications and functionalities that manages the business processes of the department's Driver Services Division and Handgun Permit Unit.

## Notification of Traffic Violation Convictions

According to Title 49, *Code of Federal Regulations*, Part 384, Section 209,

- (a) Required notification with respect to CLP [commercial learner's permit] or CDL holders. (1) Whenever a person who holds a CLP or CDL from another State is convicted of a violation of any State or local law relating to motor vehicle traffic control (other than parking, vehicle weight or vehicle defect violations), in any type of vehicle, the licensing entity of the State in which the conviction occurs must notify the licensing entity in the State where the driver is licensed of this conviction within the time period established in paragraph (c) of this section. . . .
- (c) Notification of traffic violations must be made within 10 days of the conviction.

Federal standards require traffic violations to be placed on a CDL holder's driver's history report within 10 days of the traffic violation conviction.

### *Current Process*

The Driver Services Division receives information about a driver's traffic violation convictions from state and local courts where the conviction takes place, and division staff update the driver's history on the nationwide Commercial Driver's License Information System (CDLIS). CDLIS allows users from all states to report and access information necessary to regulate commercial drivers, including driver identification information, license information, and driver's history.

Section 55-50-409(c)(1), *Tennessee Code Annotated*, requires local Tennessee courts to report criminal convictions to the Driver Services Division within five days after the date of conviction. The division also receives traffic violation convictions from other states if the individual is a Tennessee CDL holder. The state and local courts can send the information electronically through the division's web-based portal, Court Disposition Reporting; via the local court's own information system; or by mail. Traffic convictions that are entered through the Court Disposition Reporting portal and through a court's information system automatically interface with A-List to update the driver's history record. When a file transfer error occurs, division staff must manually process the traffic conviction. Traffic convictions that are mailed to the department are manually processed to update the driver's history record. Once the department obtains the local court traffic violation convictions, the Driver Services Division will either add the traffic conviction to the driver's history report if the offender has a Tennessee CDL or send notification of the Tennessee traffic violation conviction to the state where the offender holds a CDL.

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### **Audit Results**

- 1. Audit Objective:** Did the Driver Services Division meet the state and federal domicile requirements for issuing CDLs and commercial learner's permits?



**Conclusion:** Based on our review, the division did not meet the state and federal domicile requirements for some drivers who obtained CDLs and commercial learner's permits. See **Finding 3**.

**2. Audit Objective:** Did the Driver Services Division meet the federal requirement to record traffic violation convictions to the driver's history reports of CDL holders within 10 days of the conviction?

**Conclusion:** Based on our review, the division met the federal requirement to update the driver's history reports with traffic violation convictions of CDL drivers 74% of the time. The division experienced delays in receiving traffic violation convictions from local courts, which directly affected the department's ability to meet the requirement. See **Observation 1**.

### Methodology to Achieve Objectives

To achieve our domicile objective, we interviewed Driver Services Division staff to gain an understanding of the process to issue CDLs and commercial learner's permits. We reviewed federal guidelines, state laws, and the department's policies and procedures. We visited several driver services centers to perform walkthroughs and observations of operations. During our visits, we received allegations that some centers were accepting unallowable documents for proof of residency in the state. We selected one driver services center and tested all applicants who scheduled a CDL road skills test for March 2019 and October 2018 for proof that staff reviewed the proper documents to establish current residency in the state. For March 2019, we tested all 53 applicants; for October 2018, we tested all 21 applicants.

For our expanded testwork, we tested a sample of applicants who received learner's permits from driver services centers but chose to complete their CDL road skills test at an approved third-party company for proof that the driver services center staff obtained the proper documents to establish residency in the state. To achieve our objective, we obtained a list of 77 CDL driver examiners, which represented 46 CDL schools as of May 9, 2019. From the list of driver examiners, we tested a sample of 122 applicants<sup>9</sup> (representing 13 CDL schools) and reviewed the applicants' residency documentation in A-List to determine if the division met state and federal domicile requirements for issuing commercial learner's permits and CDLs.

To achieve our traffic violation conviction objective, we interviewed Driver Services Division staff to gain an understanding of the process to record traffic violation convictions to the driver's history reports of CDL drivers. We reviewed federal guidelines, state laws, and department policies and procedures. We queried the department's A-List system to obtain the CDL timeliness reports for updating the driver's history reports for the period January 1, 2017, through May 31, 2019. Then we analyzed the reports to determine whether the department met the federal requirement to update CDL holders' driver's history reports within 10 days and to determine the average timeliness rate.

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<sup>9</sup> Based on our review of the 122 applicants' driver's histories, the applicants received CDLs from March 7, 2018, through June 6, 2019.

**Finding 3 – Driver Services Center staff did not ensure that adequate proof of residency was obtained before issuance of commercial learner’s permits and commercial driver licenses**

Title 49, *Code of Federal Regulations* (CFR), Part 383, Section 71(a)(2)(vi), states that any person applying for a commercial learner’s permit or commercial driver’s license (CDL) must provide proof that the state to which the application is made is his or her state of domicile. Acceptable proof of domicile, according to the regulation, is a document with the person’s name and residential address within the state, such as a government-issued tax form. According to the federal law, states are responsible for making sure the applicant meets the requirements for the CDL and the learner’s permit, including providing the information for residency. We noted deficiencies in our review of applications for the learner’s permit and the issuance of CDLs.

We visited several driver services centers across the state to gain an understanding of their overall operations. At one particular center, staff shared concerns about other centers issuing learner’s permits to applicants who had not provided adequate documentation for proof of residency. This center is the only center in the district that contains both the CDL examiners and the CDL pad necessary for the road skills test. Learner’s permit holders who were issued their permits by other centers would eventually conduct their road test at this center.

For two months within our audit period, we selected all applicants who scheduled their CDL road skills tests at the center to determine if staff obtained adequate proof of residency for their commercial learner’s permit. For March 2019, we tested all 53 applicants; for October 2018, we tested all 21 applicants. From our review of information in the A-List system, we determined that for 6 of 53 applicants (11%) for March 2019, and for 2 of 21 applicants (10%) for October 2018, staff had not obtained and uploaded adequate proof of residency in the A-List system before issuing a commercial learner’s permit. However, the center who ultimately issued the CDL did verify the residency requirement.

We expanded our testwork to review applicants who would have obtained their learner’s permits from a driver services center but chose to conduct their road skills tests at an approved third-party company. From a population of 318 applicants who obtained testing across the state through third-party companies for the period March 7, 2018, through June 1, 2019, we selected a haphazard sample of 122 applicants to determine if the driver services center staff obtained adequate documentation. We determined that for 6 of 122 applicants (5%), staff had not obtained and uploaded adequate proof of residency in the A-List system before issuing a commercial learner’s permit, and we subsequently discovered that these permit holders were issued a CDL.

According to 49 CFR 383.1(a), “The purpose of this part is to help reduce or prevent truck and bus accidents, fatalities, and injuries by requiring drivers to have a single commercial motor vehicle driver’s license and by disqualifying drivers who operate commercial motor vehicles in an unsafe manner.” Furthermore, the Department of Safety and Homeland Security’s website states that applicants for a CDL or permit will be required to present two items to prove residency in the state of Tennessee. Based on discussion with staff, some examiners are unsure of which documents are acceptable for proof of residency and need more training. Management stated that it appears that staff reviewed some proof of residency but did not properly scan the documents into the A-List system.

Without effective training and understanding of the residency requirements for compliance with federal law, management's risk increases that licenses will be issued to non-residents of the state. Negative consequences of an ineffective licensure process could result in public safety issues.

### **Recommendation**

The Director of Driver Services should ensure that all examiners at the driver services centers across the state understand which documents are acceptable for residency and receive appropriate and uniform training to properly issue permits and licenses.

### **Management's Comment**

#### **Proof of Domicile**

We concur with the finding. The management team will ensure all staff are trained on the domicile and residency requirements and on which documents are acceptable. The management team will conduct the refresher training on domicile and residency requirements during the annual Supervisor and Examiner In-Service training.

Management will also require Branch Managers to conduct quality review checks on commercial driver license transactions monthly to ensure compliance. The department's Audit division will continue to review commercial driver license transactions as part of its Driver Services Division audit plan to ensure proper documentation is captured and uploaded to customer accounts.

### **Observation 1 –Local courts' delays in sending traffic violation convictions affect the Driver Services Division's ability to meet federal reporting guidelines for commercial driver license traffic convictions**

Based on our analysis of the commercial driver license (CDL) timeliness reports for updating the driver's history reports, we found that the Department of Safety and Homeland Security met the federal requirement to update the driver's history reports within 10 days of a driver's traffic violation conviction approximately 74% of the time during the period from January 1, 2017, through May 31, 2019. See **Table 4**. As mentioned above, *Tennessee Code Annotated* requires local courts to report traffic convictions to the department within 5 days of the conviction, and federal guidelines require the department to post driver convictions to the driver's history reports (DHRs) within 10 days of conviction. If a court does not provide the Driver Services Division with the conviction information within 5 days, the division risks missing the 10-day federal deadline.

The 10-day deadline includes the time it takes for the local court to send the traffic violation conviction to the department.

**Table 4**  
**Percentages of Traffic Convictions Posted on Time**

<b>Calendar Year</b>	<b>Total Convictions†</b>	<b>Number of Convictions Posted Within 10 days</b>	<b>Number of Convictions Posted After 10 Days</b>	<b>% Posted to CDL DHR On-Time</b>	<b>% Posted to CDL DHR <u>NOT</u> On-Time</b>
2017	27,248	19,900	7,348	73%	27%
2018	28,040	20,586	7,454	73%	27%
2019*	10,224	7,919	2,305	77%	23%
<b>Average</b>	21,837	16,135	5,702	<b>74%</b>	<b>26%</b>

\*The data for calendar year 2019 is through May 31, 2019.

†The total convictions include convictions both within Tennessee and out of state for CDL holders.

Source: Department of Safety and Homeland Security's A-List information system.

The American Association of Motor Vehicle Administrators (AAMVA) has established a rating system for timeliness of CDL traffic violation conviction reporting for all states. See **Table 5**. This system measures the timeliness of interstate reporting; however, we used this scale as a generally acceptable benchmark for assessing the division's timeliness performance for our review of both in-state and out-of-state-reporting. By achieving a timely posting average of 74% over three years, the department had a rating of "Fair" based on the AAMVA rating as of May 31, 2019.

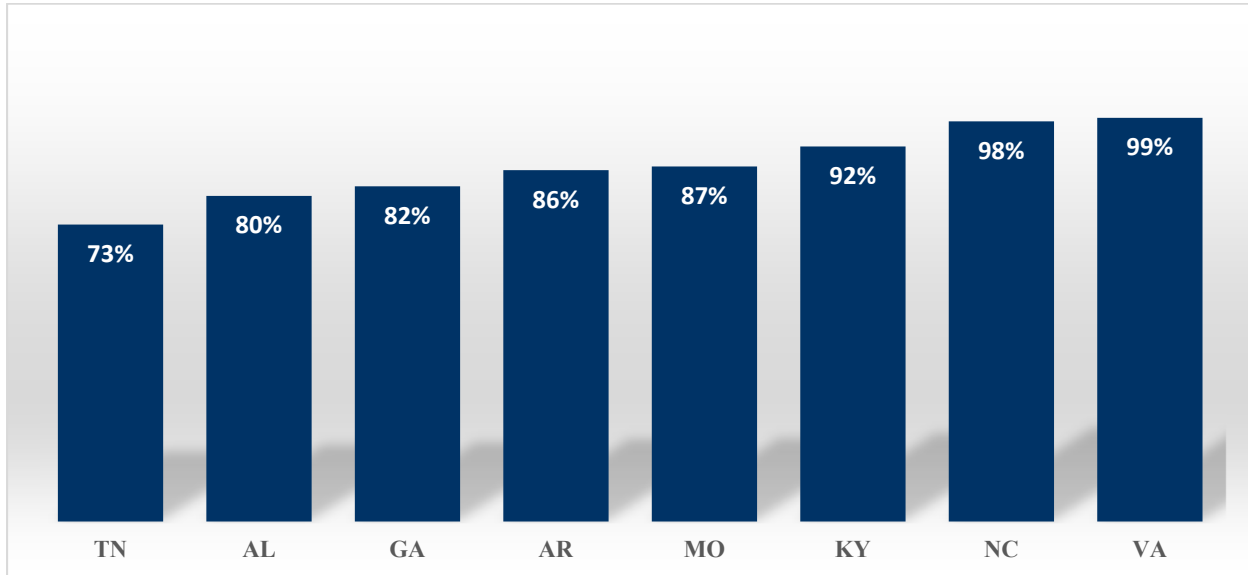
**Table 5**  
**The American Association of Motor Vehicle Administrators**  
**CDLIS Timeliness of Convictions Rating**

<b>Rating</b>	<b>Rating Value</b>	<b>Meaning</b>
Excellent	90%+	% of total convictions sent within 10 days of original conviction date is equal to or greater than 90%
Good	80%-89%	% of total convictions sent within 10 days of original conviction date is at least 80% but less than 90%
Fair	70%-79%	% of total convictions sent within 10 days of original conviction date is at least 70% but less than 80%
Poor	69% or less	% of total convictions sent within 10 days of original conviction date is less than 70%

Source: American Association of Motor Vehicle Administrators' Conviction Timeliness Report – May 2019.

Based on our review of the monthly timeliness reports AAMVA provided for the period January 1, 2017, through May 31, 2019, the total number of convictions Tennessee successfully sent to other states (meaning the offender was convicted in Tennessee, but the offender held a CDL from another state) was 13,495. Tennessee was able to upload the information to the CDLIS within 10 days, on average, **73%** of the time. We compared the division's rating to bordering states to assess how Tennessee compares to other states for the same time period and determined that Tennessee had the lowest AAMVA rating among its neighboring states. See **Figure 2**.

**Figure 2**  
**State Comparison of AAMVA Ratings for Tennessee's Neighboring States\***



\*Mississippi was not rated.

Source: American Association of Motor Vehicle Administrators' Conviction Timeliness Report – May 2019.

Our review and discussion with division staff about the division's timeliness determined that delays in updating the CDL driver's history reports were mostly due to local courts sending CDL traffic violation conviction information late. Based on our analysis of each county's timeliness reporting for the period January 1, 2017, through May 31, 2019, we determined that 25% of all local court convictions were reported to the department after the federal 10-day reporting requirement had already passed. Based on further analysis of the timeliness data, we determined that the department was responsible for reporting 1% of convictions beyond the deadline. See **Table 6**. If the local courts reported within the 10-day timeframe, the division's timeliness percentage and AAMVA rating could improve.

Most of the division's timeliness delays are due to local courts sending CDL traffic violation conviction reports late.

**Table 6**  
**Delays for Courts and the Department by Calendar Year**

	2017	2018	2019*	Total
Total Convictions Processed	27,248	28,040	10,224	65,512
Convictions Posted After 10 Days	7,348	7,454	2,305	17,107
Court Delays (after 10 days)	7,214	6,909	2,226	16,349
Department Delays (not a result of court delays)	134	545	79	758
Department Delay Percentage (not a result of court delays)	0.5%	2%	1%	1%

\*The data for calendar year 2019 is through May 31, 2019.

Source: Department of Safety and Homeland Security's A-List information system.

We spoke with division staff to determine the contributing factors that resulted in the local courts' delay in sending convictions to the department. Staff stated that since all local courts are independent (and over 300 courts submit traffic violation information), various factors contribute to local courts' timeliness, and no single factors stood out. According to the division's local court liaison, the most common factors that contributed to local courts' delays were

- the local courts mailed the conviction information to the division, which slowed down processing;
- conviction information contained keying errors;
- local court staff were temporarily shorthanded due to sickness or family issues;
- local courts lacked advanced information systems; and
- local court staff had high turnover rates.

Discussion with division staff revealed that some local court systems do not have the resources to purchase and operate information systems that would electronically upload CDL convictions to the department's system; however, the local courts have the option to use the Court Disposition Reporting portal for free. Staff stated that some counties have used the portal, but some local courts feel that using the portal is burdensome to their own processes. Division staff also stated that requiring all local courts statewide to transmit convictions electronically (in lieu of mailing) would help speed up reporting from the local courts.

Without the ability to obtain all local courts' traffic violation convictions, the division cannot ensure driver records are current for local courts and other states. If records are not current, drivers who have not obeyed traffic laws may remain qualified for the CDL, thus jeopardizing the safety of other drivers.

Because the courts are primarily responsible for the division's inability to comply with federal timeliness standards, the department may wish to track the timeliness of local court reports. The department should continue to work with the courts to improve timeliness. If the courts do not cooperate, the department should consider amendments to state statute concerning enforcement provisions or changes in reporting timelines.

### **Management's Remark**

We concur with the observation. The management team will continue its efforts to work directly with the courts that failed to maintain a compliance rate of 85% or higher for reporting their traffic violation convictions to the department within five days of the conviction, pursuant to Section 55-50-409, *Tennessee Code Annotated*.

Currently, the department has two court liaisons assigned to working directly with the court clerks to assist them with meeting the reporting requirements. One position is state funded and one position is federally funded from a commercial driver license grant.

Each month, a status conviction report is generated from the department's driver license system (A-List) that identifies courts reporting the traffic violation convictions, the number of traffic violations being reported, and the number of days it took the courts to report the convictions to the department. The data is converted into a reporting score card and the data is shared with the courts failing to meet the reporting standard guidelines.

The court liaisons will schedule an in-person visit with any court out of compliance to review the monthly data and discuss the issues for the late reporting. The liaisons make suggestions for improving court compliance.

Throughout the calendar year, the court liaisons visit and participate in conferences and workshops with all state Court Clerks to discuss the federal and state requirements and options for reporting traffic violations within the five-day requirement.

One of the options presented at the workshops and conferences is to use the department's electronic reporting system called the Court Disposition Report (CDR) portal, which is free of charge to the courts. This system allows the court clerks to enter convictions into the portal, and the violations are automatically uploaded to the customer's driving record, therefore eliminating the time it takes to mail the violations to the department.

In addition to the CDR option, the liaisons will recommend using additional staff, such as part-time employees or college students, to enter the conviction data into the CDR portal.

The department will continue its current method of meeting with the court clerks monthly and encourage them to use the CDR reporting system.

The department will also start sharing the score card data of each court's reporting of the traffic convictions with all court clerks in an effort to recognize those courts meeting the reporting requirements and encourage those not meeting the requirements to improve their reporting, based on their peer's performance.

The department will consider supporting legislation as recommended in the Comptroller's audit report to ensure all courts are meeting the reporting requirements.

## **REAL ID IMPLEMENTATION**

In 2005, in an effort to prevent terrorism, reduce fraud, and improve the reliability and accuracy of state-issued identification documents, the U.S. Congress passed the REAL ID Act and assigned oversight responsibility to the U.S. Department of Homeland Security (USDHS). Through the act, states are required to adopt certain standards, procedures, and requirements for issuing driver licenses and identification cards. Citizens will need the new identity documentation to access federal facilities or board commercial aircraft after October 1, 2020. Specifically, the act requires the following:

- driver licenses and identification cards must contain certain basic information and security features;
- applicants must present certain documentation regarding identity, residence, and lawful status for the issuing agency to verify prior to issuing a driver license or identification card;
- identity source documents must be digitally captured;
- facial image capture must be performed on all applicants;
- driver licenses and identification cards can be valid for no more than eight years;
- locations where materials and papers are kept, and driver licenses and identification cards are produced, must be kept secure; and
- states must provide all other states with electronic access to their motor vehicle database, which must contain drivers' histories and all information printed on driver licenses and identification cards.

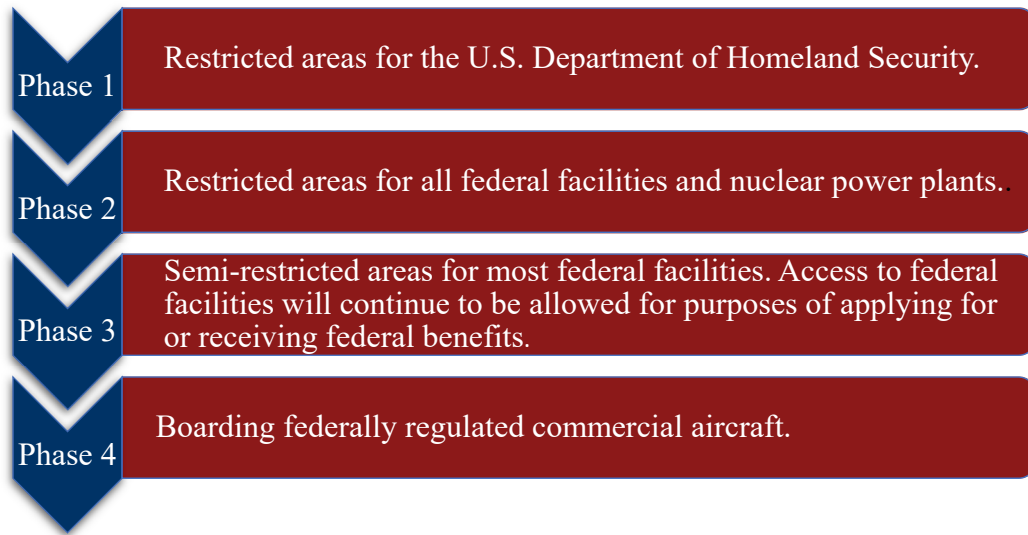
#### Deadline Extensions and REAL ID Phased Enforcement

To ensure states' compliance with the REAL ID Act, USDHS established a phased process for implementation. In order to go live with REAL ID, states must submit a final certification package, which demonstrates a state's compliance. The original deadline for the act was in 2008; however, because most states were unable to meet this deadline, USDHS provided deadline extensions if states could demonstrate they were making progress toward compliance.

To further encourage progress toward implementation, on December 20, 2013, USDHS announced phased enforcement for the REAL ID Act's implementation and established a new deadline of October 1, 2020. USDHS' phases specified places or buildings where REAL IDs would be required. Phases 1 through 3 involve entry into federal facilities, while Phase 4 affects all boarding of federally regulated commercial aircraft. See **Figure 3**. Individuals attempting to enter the locations using driver licenses or identification cards from noncompliant states would not be allowed access or would be required to follow agency-specific alternate procedures to gain entrance.



**Figure 3**  
**REAL ID Enforcement Phases**



#### Implementation Cost

Between 2009 and 2011, the Tennessee Department of Safety and Homeland Security received a federal grant totaling \$2,344,077, which it spent in full as of June 30, 2016, to implement the REAL ID Act's requirements. In preparation for the rollout of REAL ID issuance, the department plans to use \$200,000 of its state budget for fiscal years 2019 and 2020 to pay for advertising to relay and promote the issuance of REAL IDs and \$400,000 to pay 30 part-time, temporary employees, who were hired in May 2019 to assist with increased ID issuance activities.

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#### **Audit Results**

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**Audit Objective:** Is the department in compliance with the REAL ID Act, and is the department on track to fully implement the act by October 1, 2020?

**Conclusion:** The department is in compliance with the REAL ID Act and began issuing REAL IDs on July 1, 2019, which met the act's deadline. See **Observation 2** for information related to the department's implementation of the REAL ID Act.

#### Methodology to Achieve Objective

To achieve our objective, we reviewed the REAL ID Act of 2005 and its requirements, as well as the department's efforts to meet these requirements. We also reviewed the department's marketing and informational materials. We interviewed key department personnel regarding the department's implementation of the act to obtain an understanding of the implementation process and the current status of REAL IDs in Tennessee.

## **Observation 2 – Tennessee achieved full compliance with the REAL ID Act**

In 2011, the Tennessee Department of Safety and Homeland Security submitted its final certification package to the U.S. Department of Homeland Security (USDHS), which demonstrated it had met the requirements to be a REAL ID-compliant state. The final certification package included the following components:

- the full compliance certification checklist, which highlighted specific requirements of the act;
- a letter from the U.S. Attorney General that identified and confirmed the department was overseeing driver services centers;
- a letter from the Commissioner of the department certifying that the department had implemented a REAL ID-compliant program.
- a description of the state's exceptions for accepting alternative documents for proof of identification and citizenship, and the non-requirement for disabled people to appear in person for REAL ID renewals; and
- the state's security plan, which included physical security of facilities, security of personally identifiable information, card security features, personnel security and training, emergency response plans, and audit trails.

Based on our discussions with department staff and review of documentation, USDHS approved Tennessee as fully compliant with the REAL ID Act in 2012. The act requires states to be recertified every three years to demonstrate continued compliance. USDHS performs an on-site visit to observe REAL ID operations.

On February 2, 2012, Tennessee became fully compliant with the REAL ID Act.

## **Previous Commissioners Delayed Issuance of REAL IDs to Adequately Prepare**

Although the department was approved and fully compliant with the REAL ID Act in 2012, state leadership, which included two previous commissioners and other state dignitaries, decided to delay REAL ID issuance to take advantage of USDHS' extended October 1, 2020, deadline. Based on our discussions with current management, previous management wanted to take the additional time to work out the processes needed to ensure all citizens would be REAL ID compliant by the final date.

Before Tennessee could begin issuing REAL ID-compliant driver licenses or identification cards, the department needed to replace its antiquated driver license system, which lacked the capability to meet the requirements of the act. In 2015, the department replaced the 35-year-old system with the Automated License Information System for Tennessee (A-List). According to system staff, A-List has had the capability to issue REAL IDs since 2015, when the system was first implemented. However, as mentioned above, previous department commissioners delayed REAL ID issuance to take advantage of additional time allowed by USDHS. In 2018, management formed the REAL ID Steering Committee, which consisted of department management and subject

matter experts, to keep REAL ID implementation on track for the July 1, 2019, start date. This committee was responsible for overseeing the implementation of REAL IDs in the new A-List system; updating department rules to mirror the federal requirements; leading the marketing campaign; and coordinating presentations to the General Assembly and local county clerks on how the act would be implemented.

In January 2019, the current administration and the new commissioner decided to start the REAL ID issuance process on July 1, 2019. The department upgraded and tested the A-List system to meet its deadline of REAL ID issuance by July 1, 2019. Additionally, the department hired 30 temporary, part-time employees for summer 2019 through summer 2020 to assist with the additional volume in the state's 44 driver services centers.

### REAL ID Marketing Campaign Begins

In 2019, the department contracted with a marketing agency to educate the public about REAL IDs. This outreach campaign developed and produced

- logos and marketing materials;
- the use of a celebrity spokesperson;
- video and radio commercials;
- outdoor advertising materials;
- social media graphics; and
- banners and links to the REAL ID website.

### Upgrades to Kiosks and iPads for REAL IDs

The department has 37 self-service kiosks and iPads across all 44 driver services centers. Department staff stated that while the kiosks and iPads will not be used for initial REAL ID issuance,<sup>10</sup> the department has worked on installing upgrades to its iPads and kiosks so they can be used for other services related to REAL IDs. These services include renewals, changes of address, and services related to the Graduated Driver License Program for drivers under the age of 18. These upgrades are projected to be completed by August 2019.<sup>11</sup>

### Issuing REAL IDs

The department began issuing REAL IDs on July 1, 2019. The cost for Tennesseans to obtain a REAL ID, following a regular renewal timeline, is the same as current Tennessee licenses and IDs. If an individual has a license renewal date after October 1, 2020, and needs a REAL ID to fly or enter certain federal buildings, the individual may receive a REAL ID for the cost of a

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<sup>10</sup> For the purpose of document verification, applicants must receive their initial REAL IDs in person at a driver services center.

<sup>11</sup> This date falls after the department's REAL ID issuance deadline of July 1, 2019. However, these technologies provide services that do not apply to the initial issuance.

duplicate license. Before the state can issue an individual's REAL ID, it must obtain the following information from the individual at any driver services center statewide:

- documentation of lawful status in the U.S. (U.S. citizen, lawful permanent resident, or authorized stay);
- documentation of a Social Security number with the Social Security Administration;
- evidence of residence in Tennessee; and
- confirmation that there are not current licenses of multiple identities in Tennessee or other states.

See **Appendix 2** on page 63 for more detailed information on the required documentation to obtain a REAL ID.

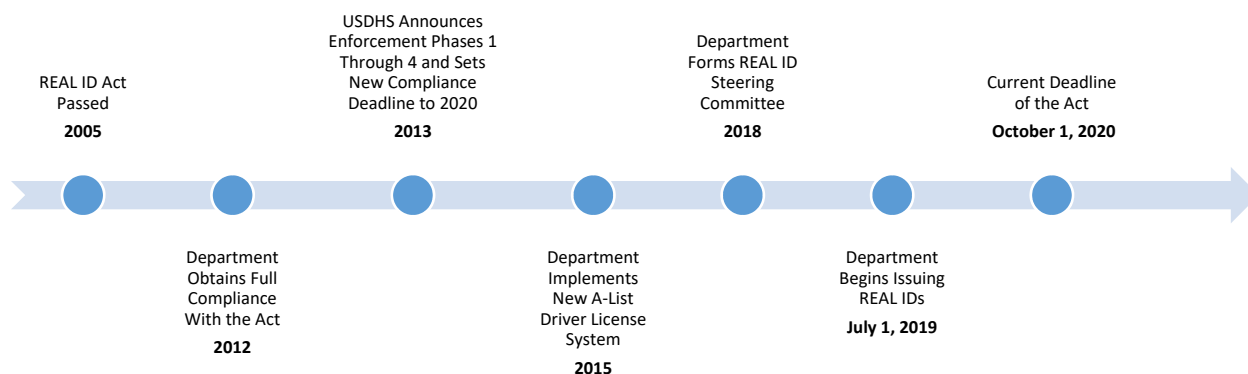
A REAL ID driver license or identification is required for individuals to continue to fly domestically and gain access to certain federal facilities after October 1, 2020. A Tennessee resident may still be able to board domestic flights after October 1, 2020, using other forms of identification approved by the Transportation Security Administration (TSA). For example, valid, non-expired passports will allow a resident to enter federal buildings, nuclear sites, and military sites and to board domestic flights if the individual does not have a REAL ID after October 1, 2020. See **Appendix 4** on page 66 for the full list of TSA-approved identifications.

**Obtaining a REAL ID is Optional**

Tennessee residents are not required to obtain a REAL ID but will need other TSA-approved identification to board domestic flights.

If residents decide not to obtain a REAL ID, the department will issue a license or ID with “NOT FOR FEDERAL IDENTIFICATION” printed on the face of the license or ID. For more information about the difference between the REAL ID- and the non-REAL ID-compliant license, see **Appendix 3** on page 64.

**Figure 4**  
**Timeline of Events**



# Tennessee Highway Patrol



## DISPATCH SYSTEM

### Background

Mandated to ensure the safety and welfare of the traveling public, the Tennessee Highway Patrol (THP) is responsible for enforcing all laws, rules, and regulations pertaining to the safe operation of commercial and motor vehicles on the roads and highways of Tennessee. The THP maintains a communication dispatch system to facilitate state troopers and motorists when incidents require trooper interaction.

The Department of Safety and Homeland Security's dispatch system has three components: the Computer Aided Dispatch (CAD) system, the Telephony system,<sup>12</sup> and the Tennessee Advanced Communications Network (TACN), all of which THP dispatchers use to manage and allocate trooper resources during emergencies and to aid the public. We focused our audit on the CAD and Telephony components of the dispatch system.

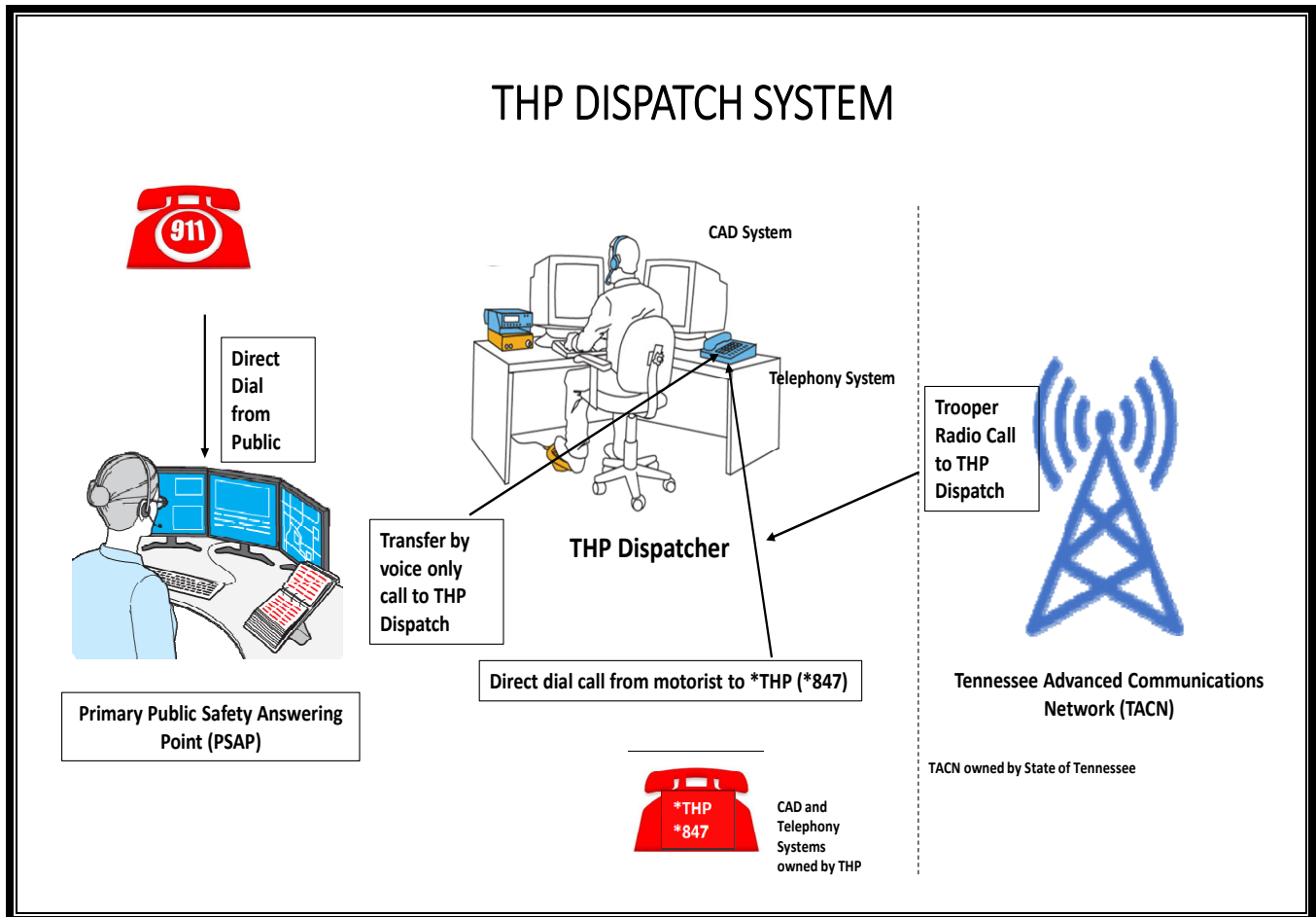
The department has four dispatch centers, located in Jackson, Nashville, Knoxville, and Chattanooga. Dispatch center staff are responsible for answering calls for service; coordinating the response of state troopers; and communicating with local and regional responders and resources. The staff receive calls for service from the public through the Telephony system or through the transfer of 911 calls from a public safety answering point<sup>13</sup> (PSAP). In addition, a trooper can initiate contact to a dispatch center, and vice versa, via the TACN radio system when carrying out his or her patrol (see **Figure 5**).

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<sup>12</sup> This is a basic office phone system.

<sup>13</sup> Public safety answering points (PSAPs) are the local agencies that receive 911 emergency calls for service for police, fire, and Emergency Medical Services. PSAPs may be associated with a city or county government or operate as a stand-alone 911 center.

Figure 5



Source: Auditor observation and walkthrough.

Within the department, the THP Dispatch Coordinator is responsible for overseeing the dispatch system. As of May 9, 2019, the Dispatch Coordinator is responsible for 81 employees who serve as Dispatch Regional Managers, Dispatch Center Supervisors, and dispatchers.

### Computer Aided Dispatch System

The department implemented the Computer Aided Dispatch (CAD) system statewide in 2005, with the most recent upgrade on September 1, 2015. CAD provides computer displays and mapping tools to assist THP dispatchers with processing calls for service and dispatching resources. When a call for service comes into a dispatch center, a dispatcher manually enters the information into CAD. Whether the call for service is an emergency or non-emergency request, the dispatch center receives it in one of two ways: via a public initiated phone call or via a trooper's radio call through TACN. When the dispatch center receives a call for service, the dispatcher records and ultimately archives the call.

## Telephony System

The Telephony system, which was installed in 2016, is a basic office phone system that the THP dispatch centers use to receive calls from the public via the \*THP (847) phone number or direct call transfers from a PSAP. Telephony does not record or transcribe information.

Most calls received by a dispatch center originate from a caller who has dialed 911. The closest local law enforcement agency receives the call, based on the location in reference to the location of the caller. If the PSAP determines that the request for service is a THP matter, the call is transferred to the nearest THP dispatch center location, based off the requestor's geographical location and district boundaries. When a call is transferred from a 911 service of operation (local law enforcement) to one of the four dispatch centers, the dispatch center only receives information by voice, since system limitations prevent the capture of other pertinent caller information (name, number, location, etc.) This means a caller must repeat all the necessary information to the THP dispatcher. In addition, based on our discussion with management, we found that the system does not receive phone calls or requests for service from a Telecommunication Device for the Deaf.<sup>14</sup>

## Replacement System

The department is in the process of replacing the current CAD and Telephony systems with Next Generation 911 (NG911), an integrated system that combines the two systems. According to management, NG911 should automatically capture call information and allow phone calls from hearing impaired individuals. The system's capabilities will provide voice recording, as well as the GPS location of a caller from a landline or a cell phone. However, as of May 2019, the department had not developed the Request for Proposal to solicit new vendors. The competitive bid procurement process can take several weeks or months to complete. The department expects implementation of a new system to take between 12 to 18 months, while its current CAD contract is set to expire in August 2020.

## Tennessee Advanced Communications Network

According to the Wireless Communication Director, the department is the primary owner of the Tennessee Advanced Communications Network (TACN), a partnership between state and local governments to own, operate, and maintain a Public Safety Land Mobile Radio System to enhance radio communications with all its partners.

TACN serves 4 master sites—located in Nashville, Chattanooga, Jackson, and Knox County—that oversee 210 sites throughout the states. The 4 master sites, which house the regional network operation centers, are described as follows:

- ❖ Nashville – Operated by the Tennessee Department of Correction. Oversees all correctional facilities and other radio sites throughout Middle Tennessee.

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<sup>14</sup> A Telecommunication Device for the Deaf is a teleprinter, an electronic device for text communication over a telephone line, designed for use by persons with hearing or speech difficulties. The Telephony system does not have the capability of receiving these calls.



- ❖ Chattanooga – Operated by the Tennessee Valley Regional Communications System. Oversees the sites in Northwest Georgia and some of the sites in East Tennessee.
- ❖ Jackson – Operated by the THP. Oversees the radio sites in West Tennessee.
- ❖ Knox County – Operated by the THP. Oversees the remainder of radio sites in East Tennessee.

#### Staff Turnover Specific to Dispatch Operations

According to the Dispatch Coordinator, the dispatch centers have experienced high staff turnover. We obtained the division's turnover data from July 1, 2016, to June 30, 2019, which confirmed 66 employee separations from a total of 90 full-time positions.

### **Audit Results**

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**Audit Objective:** Does the THP have an adequate dispatch system that enables the department to meet its mission?

**Conclusion:** While the THP has a dispatch system, there are inadequacies and inefficiencies of the system, including its inability to receive calls from motorists with hearing impairments. See **Observation 3**.

#### Methodology to Achieve Objective

We interviewed the THP Wireless Communications Deputy Director, dispatch management, and staff to obtain an understanding of their operations and the system's capabilities. We performed a walkthrough of the dispatch process at the Nashville and Jackson dispatch centers to obtain a better understanding of the CAD and Telephony system operations. Additionally, we sent requests for feedback to 78 of 81<sup>15</sup> end users of the dispatch system to obtain their opinions about the systems' capabilities and effectiveness.

#### **Observation 3 – Department leadership should ensure its new dispatch system adequately addresses deficiencies and concerns noted in its current system**

To ensure the public can obtain trooper-assisted services during either emergency or non-emergency situations, the Department of Safety and Homeland Security uses a three-part dispatch communication system to assist motorists traveling the state's roads and highways. Based on our review of two parts of the system, Computer Aided Dispatch (CAD) and Telephony, we found some deficiencies that could affect the Tennessee Highway Patrol's (THP) ability to effectively and efficiently respond to calls for service.

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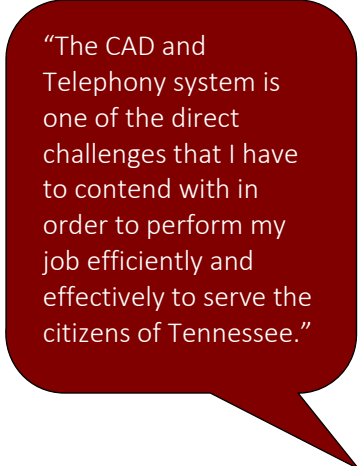
<sup>15</sup> Only 78 users had usable email addresses provided.

### Issues Reported by Dispatch System Users

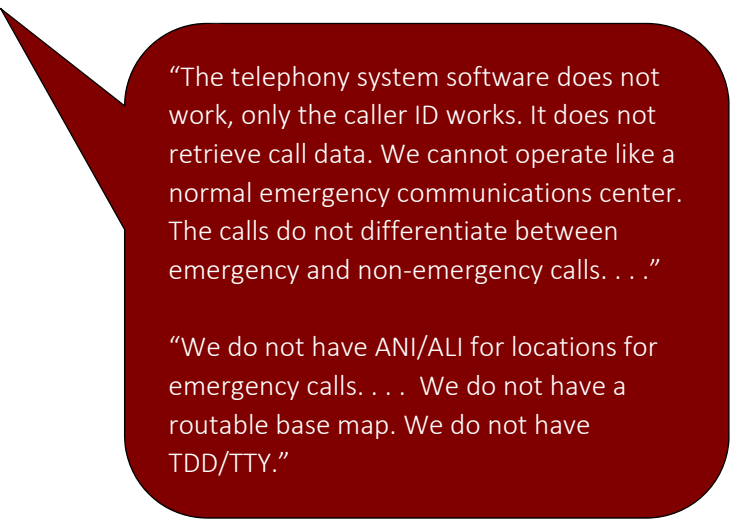
The CAD and Telephony portions of the dispatch system are not integrated. We solicited 78 users of the dispatch system to independently gain an understanding of the magnitude of the issues experienced by users, and we obtained feedback from 42 users. Overall, they indicated the following:

- ☒ Telephony does not capture call data; rather, a dispatcher must verbally ask the caller for information and then manually enter the data into CAD.
- ☒ The system is outdated and needs improvement.
- ☒ The system is not efficient.

Furthermore, several users wrote comments that described limitations of the two segregated systems and described experiences such as CAD's outdated mapping and the system freezing while working emergency requests.



"The CAD and Telephony system is one of the direct challenges that I have to contend with in order to perform my job efficiently and effectively to serve the citizens of Tennessee."



"The telephony system software does not work, only the caller ID works. It does not retrieve call data. We cannot operate like a normal emergency communications center. The calls do not differentiate between emergency and non-emergency calls. . . ."

"We do not have ANI/ALI for locations for emergency calls. . . . We do not have a routable base map. We do not have TDD/TTY."

### Noncompliance With the Americans With Disabilities Act

Based on our review, we learned that the department's Telephony system is not compliant with federal Americans With Disabilities Act requirements involving telecommunication services for individuals who are hearing impaired. Based on our discussions with the THP Dispatch Coordinator, the Telephony system is not capable of receiving calls from a Telecommunications Device for the Deaf (TDD) for those with hearing impairments. According to "Nondiscrimination on the Basis of Disability in State and Local Government Services," Title 28, *Code of Federal Regulations*, Part 35, Section 162, "telephone emergency services, including 911 services, shall provide direct access to individuals who use TDD's and computer modems."

The department has never been equipped to receive TDD calls with the current communication system. It is unclear why the department has not initiated steps to meet federal regulations to better serve citizens who are hearing impaired.

### System Limitations

Because the CAD and Telephony systems are separate components that do not directly communicate with each other, dispatchers are at an increased risk of dropped calls and missing critical information to provide to the state trooper. Since the current dispatch system cannot automatically capture pertinent data, such as the caller's name, location, and phone number, the THP dispatcher must also ask the caller for the pertinent information and nature of the emergency to be able to assign the call to a trooper. With the caller repeating critical information and the dispatcher manually entering the data into the CAD system, the THP dispatcher may lose the caller and never respond to needed services, or such services may be significantly delayed.

According to management, tracking and measuring requests for service are difficult because the CAD and Telephony systems are not compatible, do not automatically capture the call data, and do not have a reporting functionality. Without this data, the department cannot measure the effectiveness or efficiency of the dispatch centers to ensure the department is fulfilling its mission.

Effective communication is vital to public safety. Communication systems must work together to enable emergency responders to communicate with each other and to provide the public the needed response to their service requests. Dropped calls or repeating caller information and location during emergencies puts the public at risk.

Moving forward, department leadership should procure a new system that resolves the deficiencies noted. Management should work with the state's Strategic Technology Solutions Division to help future vendors establish clear benchmarks for initiating, planning, executing, and monitoring its new system. Furthermore, management should obtain an interim solution to immediately resolve its noncompliance with the Americans With Disabilities Act to ensure motorists who are hearing impaired are afforded the same consideration of care when in need of assistance on the state's roads and highways.

### **Management's Remark**

We concur with this observation. The Department of Safety and Homeland Security is currently in the process of developing the Request to Purchase specifications for the purchase of an updated Computer Aided Dispatch/Next Generation 911 phone system. We anticipate the updated system to be procured and installed within 12 to 18 months. The replacement timeline is in line with the expiration of our current CAD vendor's contract. This procurement will greatly improve the abilities of the department in responding to the public's requests for service.

### **PUPIL TRANSPORTATION**

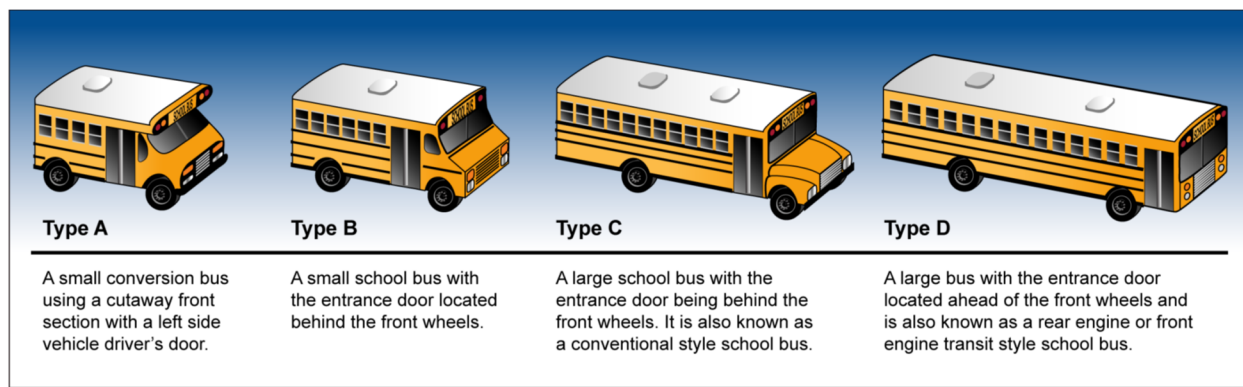
Section 49-6-2109, *Tennessee Code Annotated*, charges the Department of Education and the Department of Safety and Homeland Security with the responsibility of setting and enforcing state-specific requirements for school-bus driver qualifications and training, vehicle inspections, and other operational aspects. The Department of Safety and Homeland Security's Pupil

Transportation Division ensures that schoolchildren throughout the state are transported safely to and from school; oversees all school-bus inspections in the state; and determines whether public school-bus systems and childcare vehicles are in compliance with safety requirements. As of May 2019, seventeen troopers and two civilians conduct school-bus and childcare vehicle inspections for the eight THP districts across the state.

The Pupil Transportation Division ensures school-bus inspectors are certified, trained, and maintain their certification. Effective July 1, 2016, for troopers to be eligible as a school-bus inspector, they must be certified to perform Level 1 - North American Standard Inspections<sup>16</sup> of commercial vehicles and have held the certification for three years prior to becoming eligible to be certified as a school-bus inspector. Once the trooper becomes an inspector, he or she must maintain the certification by annually performing at least 32 Level 1 inspections.

The school-bus industry defines four basic types of school buses. Types A and B are comparatively small, while types C and D are comparatively large, as shown in **Figure 6**. In general, the capacity of a school bus increases from type A to type D buses, and type D buses can have a capacity of up to 90 students. Type C buses are the most common.

**Figure 6**  
**Types of School Buses**



Source: U.S. Government Accountability Office's (GAO) presentation of 2015 National School Transportation Specifications and Procedures. GAO-17-209.

### Bus Inspections

Based on our discussions with the Pupil Transportation Division, the department is responsible for inspecting all school districts and childcare center buses. Although not required by state statute, the division also inspect buses used by Head Start programs.<sup>17</sup> In order to perform inspections, the Pupil Transportation Division must rely on the school districts and childcare centers to self-report to the division a complete inventory of school buses in use.

<sup>16</sup> The Federal Motor Carrier Safety Administration provides training and administers the examinations for individuals to become certified inspectors in accordance with the Commercial Vehicle Safety Alliance.

<sup>17</sup> Head Start programs are federally funded under the Department of Health and Human Services. According to Title 45, *Code of Federal Regulations*, Part 1303, Section 74(e)(2), school buses used to transport children receiving Head Start services must have an annual inspection through an inspection program licensed or operated by the state.

The Pupil Transportation Division uses the Electronic Bus Inspection System to help division staff, school districts, and childcare centers coordinate the self-reporting and monitoring of all bus inventory. Each school district and childcare center has a Transportation Director, who has access to the system to enter and update the school's bus information.

Before a school district or childcare center can place a newly purchased bus in service to transport children, the division must inspect and pass the bus as approved for service. The division uses state troopers certified by the U.S. Department of Transportation's Federal Motor Carrier Safety Administration's Policy MC-ECS-2016-003. Following the Tennessee Department of Safety and Homeland Security's rules and regulations, the inspectors perform bus inspections annually or biannually, depending on the bus type and the number of years the bus has been in service.

In addition to the Electronic Bus Inspection System, the division also uses a bus sticker process to help law enforcement personnel and other responsible officials easily identify the inspection status of school buses that transport children. Division inspectors affix one of four different bumper stickers to buses after an inspection has been performed. See **Figure 7** for the sticker descriptions and purpose.

**Figure 7**  
**Bus Inspection Stickers**

	<p><b>In-Service Sticker:</b> This sticker indicates that the bus has passed the annual bus inspection. The department's bus inspectors may affix this sticker to a bus that needs minor repairs (such as passenger windows not working or ripped seats without foam or springs visible) but is safe to transport children.</p>
	<p><b>Extended Service Utilization Sticker:</b> This sticker indicates that the bus has passed the bus inspection. The department's bus inspectors affix this sticker to type C and D buses that have 15 or more service years and are operating on the department's approval. Extended Service Utilization buses require biannual inspections.</p>
	<p><b>Childcare Inspection Sticker:</b> This sticker indicates that the childcare or Head Start bus has passed the bus inspection and is safe to transport children.</p>
	<p><b>Out-of-Service Sticker:</b> This sticker indicates that the bus did not pass the bus inspection and is not safe to transport children.</p>

Source: Tennessee Department of Safety and Homeland Security.

If the bus fails the inspection, the trooper affixes the out-of-service sticker and informs the school district or childcare center that it must remove the bus from service until it makes repairs to resolve the safety issue that caused the failed inspection. After the necessary repairs are made, the school or center must have the bus re-inspected, and the bus must pass before it can be placed back in service.



According to Section 49-6-2109, *Tennessee Code Annotated*, and the department's rules, type A and B buses can remain in service for 15 years. Type C and D buses can remain in service for 18 years. The department has the authority to allow type C and D buses to remain in service beyond 18 years, provided the district applies for an extension each subsequent year, the bus has less than 200,00 miles, and the bus passes the biannual inspections. However, if a bus reaches 200,000 miles during the school year, *Tennessee Code Annotated* and departmental rules allow the school district to keep the bus in service until the end of the school year.

### School-Bus Drivers

The Pupil Transportation Division provides annual training to childcare vehicle and public school-bus drivers, who are required to attend the training and pass the training exam to maintain the S endorsement on their commercial driver licenses (CDL). If a driver fails to attend training or fails the exam, the department removes the S endorsement from the driver's license and the driver is not legally licensed to operate a bus to transport children.

Private school administrators maintain all liability associated with the school's bus drivers; thus, the private school-bus drivers are not required to attend the annual training and pass the exams.

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## Audit Results

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**1. Audit Objective:** Did the division perform bus inspections in accordance with department policy, rules, and state law?

**Conclusion:** The division performed bus inspections but did not ensure the department's rules were consistent with state law and did not ensure buses met the minimum standards for the safe transportation of children. See **Finding 4**.

**2. Audit Objective:** Did the division ensure that childcare vehicle and school-bus inspectors were certified and maintained their certifications to perform bus inspections?

**Conclusion:** The division ensured that school-bus inspectors were certified and maintained their certifications to perform school-bus inspections.

**3. Audit Objective:** Did the department ensure that childcare vehicle and public school-bus drivers attended annual training and passed the training exams, or was the S endorsement on the driver's CDL downgraded if the driver failed to comply?

**Conclusion:** The department ensured that childcare vehicle and public school-bus drivers attended annual training and passed exams, and it removed the S endorsement on the CDLs of drivers who failed to comply with the training requirements.

## Methodology to Achieve Objectives

To gain an understanding of the bus inspector certification, bus inspection, and driver training processes, we met with the division's Director of Pupil Transportation and reviewed laws, rules, and regulations.

To meet our bus inspection objective, for the period July 1, 2016, through May 8, 2019, we obtained a list of 8,700 school buses with an in-service status from the Electronic Bus Inspection System that school district and childcare centers self-reported and Pupil Transportation's bus inspectors were required to inspect. From that list, we selected a random sample of 60 active buses for testwork. Also, we obtained from the Electronic Bus Inspection System a list of 1,993 buses with an extended service utilization classification for the audit period July 1, 2016, through May 8, 2019. Of these, we selected a random sample of 60 extended service utilization buses for testwork. We reviewed the bus inspection history and bus inspection reports documented in the Electronic Bus Inspection System to determine if bus inspectors performed inspections in accordance with established laws, rules, and regulations.

To test the bus inspector and driver training objectives, Pupil Transportation staff provided a list of 36 bus inspectors who performed school-bus inspections for the period July 1, 2016, through May 30, 2019. From this list, 10 troopers were newly certified as bus inspectors after July 1, 2016. We reviewed each bus inspector's inspection history to determine if the bus inspector performed the required number of vehicle inspections to achieve and maintain the certifications. Pupil Transportation staff also provided a list of 10,722 bus drivers who maintained the S endorsement on their CDLs during the period July 1, 2016, through May 30, 2019. We selected a random sample of 25 drivers from the list and reviewed the bus drivers' training history documented in THP's Pupil Transportation Certification Application system to determine if the bus drivers attended training and passed exams, or if the division removed the S endorsement in accordance with the department's rules and general orders.

### **Finding 4 – Pupil Transportation Division management did not have consistent policies for the bus inspection process**

#### Department Rule Inconsistent With Statute and Practice

The Department of Safety and Homeland Security's management provided us with General Order 900-6 (dated June 15, 2016), which was effective during our audit period. This order stated that childcare vehicle and school-bus inspections were required to be completed annually by a qualified school-bus inspector in accordance with the department's Rule 1340-03-03. We obtained Rule 1340-03-03, which was last revised in October 2016, from the Tennessee Secretary of State's website. Based on our review, we found that the department's rule was not consistent with state law and did not reflect the department's actual process of performing and documenting bus inspections.

Specifically, we noted the following:



- The department’s rule was last revised in October 2016; however, the rule does not reflect the 2014 amendments made to Section 49-6-2109(b)(1), *Tennessee Code Annotated*. Statute extended the maximum years of service for type C and D buses to 18 years; however, the department failed to amend its rule. The rule currently states that type C and D buses cannot exceed 17 years of service. The rule also states that owners of type C and D buses have 90 calendar days to replace buses that have reached the maximum years of service; however, Section 49-6-2109(b)(2), *Tennessee Code Annotated*, states that bus owners are allowed to continue to operate the bus until the end of the school year once the bus reaches the age limit. Although not a requirement in statute, the department’s rule does not include bus inspection procedures for type A buses even though the department accepted responsibility for and performs inspections for these buses.
- Section 49-6-2109, *Tennessee Code Annotated*; the department’s rule; and the State Board of Education’s rules for bus inspections either do not clearly define types of buses or do not mention each type of bus.<sup>18</sup> Specifically, Section 49-6-2109, *Tennessee Code Annotated*, references type A, conventional, and type D buses but does not define what is considered a conventional bus. The State Board of Education uses the term “conventional” in association with type C buses. Regarding the department’s rule and terminology, department staff stated they define “conventional” buses as type B and C buses.
- *Tennessee Code Annotated* is not consistent in its definition of the maximum years of service for conventional and type D buses. Section 49-6-2109(b)(2) states that the department may approve the buses beyond 18 years of service, while Section 49-6-2109(b)(4) states that any conventional or type D bus that is in use for more than 15 years from its in-service date, but not more than 18 years from that date, must be inspected.
- In gaining an understanding of the bus inspection process, Pupil Transportation Division staff stated that Section 49-6-2109, *Tennessee Code Annotated*, applied only to public school buses and that the statute does not govern private-school, daycare, or Head Start buses used to transport children.

According to the Pupil Transportation Director, the division began inspecting daycare buses at the request of state legislators around 2001. As mentioned above, the department’s general order states childcare buses should be inspected according to the department’s rule; however, management did not update the rule to specifically address a childcare bus inspection process. The department’s rule is designed to describe the inspection of each bus type. Although childcare or Head Start programs operate type C and D buses, Pupil Transportation staff stated that because Section 49-6-2109 only applies to public school buses, childcare and Head Start buses do not have to comply with the 18-year maximum years of service or 200,000-mile limitation. In essence, division management stated that their interpretation of the law is that the childcare or

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<sup>18</sup> We defined bus types by using those defined in the 2015 edition of the *National School Transportation Specifications and Procedures*, p. 342-343, found at <http://www.nasdp.org/ncstonline/Documents/NCST%202015%20Specifications%20and%20Procedures%2011.1.16.pdf>. Type C buses are referred to as conventional buses and type D buses are referred to as transit buses, as noted in **Figure 6**.

Head Start programs can use the buses for unlimited years and for unlimited miles as long as the buses pass inspection and meet safety requirements.

Even though the department's rule is silent on the inspection process for childcare and Head Start buses, for our audit purposes, we applied the rule the division stated was for public school-bus inspections to test inspections of childcare center buses since the division had no other inspection guidance.

### Buses in Use Beyond the Maximum Years of Service

Based on our testwork, we noted that for 2 of 60 in-service buses tested (3%), the inspectors passed the type A buses for inspection although the buses were beyond the 15-year maximum in-service use. A bus's years of service are determined based on the month and year the bus is placed into service and are recorded in the department's Electronic Bus Inspection System. Section 49-6-2109(e)(1), *Tennessee Code Annotated*, states,

The board [State Board of Education] shall permit the use of type A school buses for a period of fifteen (15) years of service. If a type A school bus reaches the fifteenth year of service requiring discontinuance of its use during a school year; the owner of the bus shall be allowed to operate the bus throughout the remainder of the school year.

Both buses were being used as part of the bus owners' Head Start program, were in their 17th year of service at the time of inspection, and were active at the time of our testwork. Based on discussion with the Director of Pupil Transportation, as mentioned above, the division does not apply Section 49-6-2109(e)(1), *Tennessee Code Annotated*, to buses used as part of a Head Start program; therefore, the buses remained in service.

Through its Pupil Transportation Division, the department is responsible to ensure the safe transportation of children in Tennessee. The division relies on accurate self-reporting by public school districts and childcare centers and on its school-bus inspection process to achieve its mission. Without clear and consistent state laws and departmental rules, department management cannot ensure the division's procedures are followed consistently. Based on discussion with the Director of Pupil Transportation, the department plans to update its rules and regulations in 2020 after staff attend the National Congress on School Transportation convention. The Director also stated that until the rules are updated, the Pupil Transportation Division will continue to enforce bus inspection requirements according to the requirements of *Tennessee Code Annotated*.

### Recommendation

The Commissioner of the Department of Safety and Homeland Security should revise the department's rules to match requirements in *Tennessee Code Annotated* and, if necessary, seek clarification of statute and the General Assembly's intent. Management should also revise the department's bus inspection rules to reflect the current inspection practices. To ensure that the department fulfills its responsibilities for the safe transportation of Tennessee children,

management should revise its inspection rule to include each bus type to avoid any miscommunication of the bus inspection process.

### **Management's Comment**

We concur in part with the finding. Regarding the department rule being inconsistent with statute and practice, we agree that Rule 1340-03-03 is inconsistent with Section 49-6-2109, *Tennessee Code Annotated*. As noted by the Comptroller's auditors, the department plans to update the rule in 2020, after staff attend the National Congress on School Transportation convention. This will enable the department to eliminate any inconsistencies, clarify processes and procedures, and ensure any additional significant topics noted at the convention are evaluated for inclusion in the rule.

Regarding buses being in use beyond the maximum years of service, we do not concur with Section 49-6-2109's limit on years of service and mileage being applied to private sector buses (i.e., childcare and Head Start buses). *Tennessee Code Annotated*, Title 49, chapter 6, and all of its subchapters apply only to "Elementary and Secondary Education" public schools. Department staff perform inspections on private sector buses but, as long as the buses are operating safely, the department does not currently have the legal authority to prevent the use of private buses based on age and/or mileage driven. However, because *Tennessee Code Annotated* is silent regarding inspections of private sector buses, when Rule 1340-03-03 is updated, the process and expectations for those inspections will be clarified.

It is important to note that the department currently performs school-bus inspections in accordance with *Tennessee Code Annotated*, and no buses deemed unsafe were allowed to continue in operation during the audit period.

## **IGNITION INTERLOCK DEVICES**

The Department of Safety and Homeland Security is responsible for highway safety, including enforcing the state's driving under the influence (DUI) laws. In its effort to help save lives, the department established the Ignition Interlock Device Program in 2008 to carry out the requirements of Section 55-10-417, *Tennessee Code Annotated*. When courts order those convicted of DUI to install ignition interlock devices, the court should notify the department to monitor the individual's compliance with the law.

An ignition interlock is an alcohol detection device that is installed on a motor vehicle to analyze breath samples of the driver. When installed, the device prevents an alcohol-impaired person from starting the vehicle and requires the driver to submit random retests while operating the vehicle.

The Tennessee Highway Patrol (THP) works with the department's Driver Services Division and the Financial Responsibility Section to administer the Ignition Interlock Device Program. As governed by statute and Chapter 1340-03-06, "Rules of Ignition Interlock Device Program," the THP initially certifies device providers and installers through an application process

and performs routine programmatic audits and monitors providers and installers based on rule requirements. Both providers and installers are required to submit to a background check to ensure they have met the requirements to participate.

### *Providers*

The department's rules define an ignition interlock device (IID) provider as "a person or company engaged in the business of manufacturing, selling, leasing, servicing, and/or monitoring ignition interlock devices." To become a certified provider, the company or person must submit an application along with proof of sufficient liability insurance coverage.

### Program Monitoring

Department Rule 1340-03-06-.10 requires providers to perform monthly monitoring of participants with IIDs to ensure the participants comply with program requirements. Participants must report to the IID provider monthly so that the provider can download from the device the participants' driving habits and alcohol breath analysis data. Within two days of a participant's monitoring visit, the provider is required to submit the monthly monitoring report to the department through the department's A-List<sup>19</sup> system. Monitoring reports should include the number of miles the participant drove between monitoring visits, whether the participant attempted to start the vehicle while under the influence of alcohol, and indications of noncompliance such as failure to take a random or time test.

### *Installers*

Installers are affiliated with an IID provider and install, monitor, maintain, and remove IIDs. They must apply annually to the department, including training certification by the provider in their application. After an IID is installed on a vehicle, the provider must submit an installation report through the department's A-List system. See **Figure 8** for a set of pictures demonstrating the installation and use of an IID.

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<sup>19</sup> The Automated License Information System for Tennessee (A-List) is the department's driver license and records management system.

**Figure 8**  
**Installation and Use of an Ignition Interlock Device**

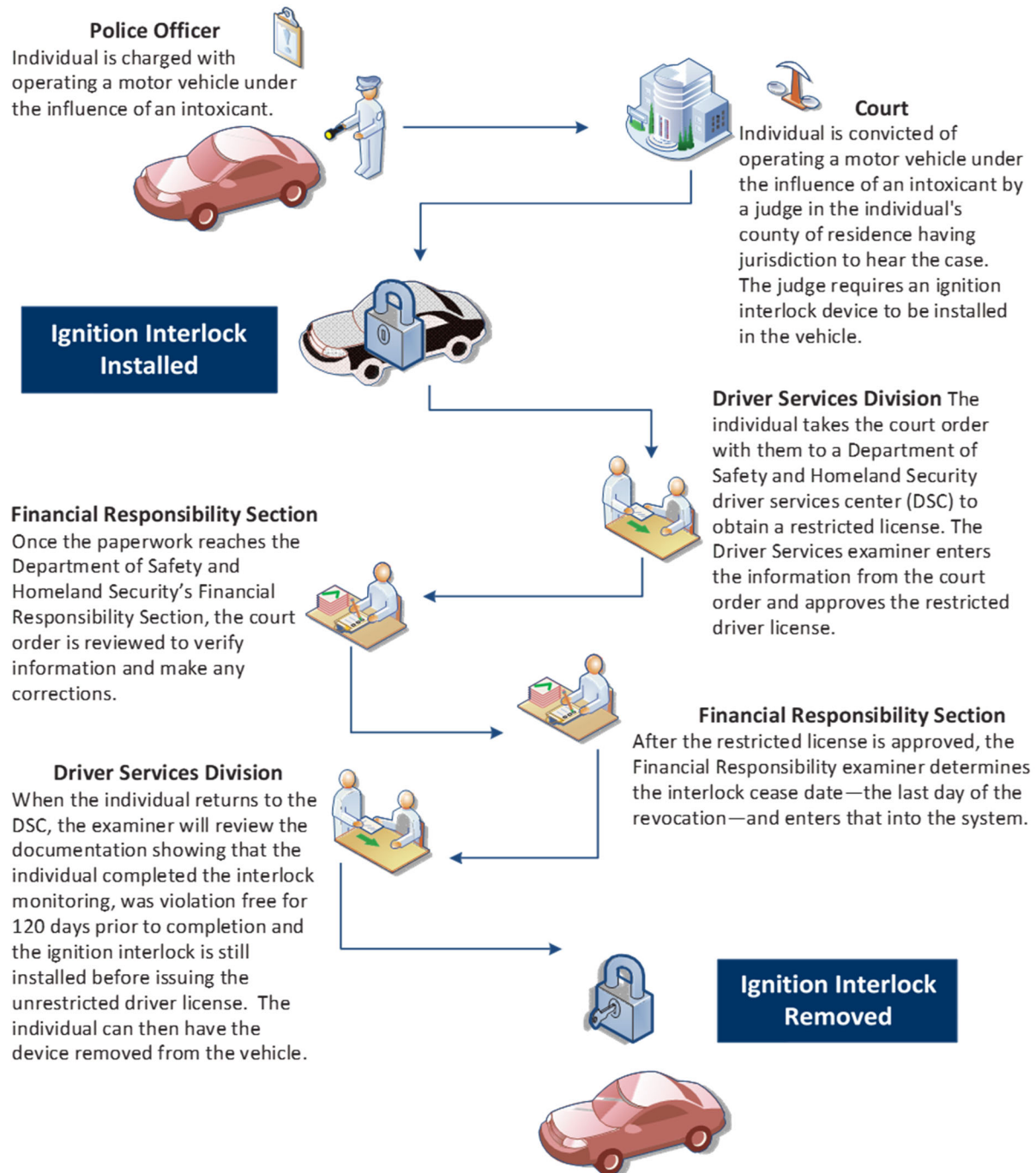


Source: *Ignition Interlock Institutes: Promoting the Use of Interlocks and Improvements to Interlock Programs*, July 2013, National Highway Traffic Safety Administration.

#### DUI Conviction and Participation in the Ignition Interlock Program

As noted above, Section 55-10-417, *Tennessee Code Annotated*, mandates the requirements of ignition interlock use in Tennessee. Individuals convicted of DUI and ordered by their local court or the Department of Safety and Homeland Security to equip their vehicle(s) with IIDs can visit one of the department's certified ignition interlock providers to have a device installed. Under the program, it is the participant's responsibility to locate a provider/installer and pay the installation fees. The individual must then take the court order and documentation to a driver services center to obtain the restricted license (a code 16 license). See **Figure 9** for a flowchart that outlines the steps individuals go through when ordered to have the device installed.

**Figure 9**  
**Ignition Interlock Device Process**





IID participants are required to remain on the program for a minimum of 365 consecutive days (or longer if ordered by the court) and must not have any program violations (as defined in

#### **Ignition Interlock Device Program Violations**

- Tampering with, circumventing, or attempting to start the vehicle with a breath alcohol concentration greater than 0.02%
- Failing to take or skipping a rolling retest when required by the IID
- Failing a rolling test required by the IID with a breath alcohol concentration greater than 0.02%
- Removing the IID at any time during the period of 365 consecutive days
- Failing to appear at the IID provider when required for calibration, monitoring, or inspection of the device

Section 55-10-425(d), *Tennessee Code Annotated*)<sup>20</sup> for 120 consecutive days prior to completing the program. Once the participant completes the program, the IID provider sends the department the participant's certificate of compliance. The IID Unit staff then review the monthly summary reports to determine if the participant was violation-free for 120 consecutive days prior to the completion date. If the participant is not violation-free, the provider extends the individual's participation in the program for an additional 120 days. If the participant is violation-free, IID Unit staff approve the certificate of compliance and email the provider the approval notice. Also, the department's A-List system autogenerates a letter to notify the participant of the approval. Although the approval notice is in A-List, the provider can print a copy of the approval notice so that the participant can apply for an unrestricted license at

a driver services center. After obtaining an unrestricted driver license, the participant can have the IID removed from the vehicle.

#### **Results of Prior Audit**

In the department's October 2016 performance report, we reported a finding about the department's monitoring of the IID Program. Specifically, we found that the department did not obtain documentation of the participants' completion of the program prior to issuing unrestricted licenses; IID program management did not always review monitoring reports to ensure the reports contained all required components and all participants; and IID program management did not ensure provider and installer applications were complete, which included certifying that the installers were not department employees. Management concurred in part with the prior audit finding and stated that it would amend its rules to address the issues noted, anticipating that rules would be revised by September 2017.

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<sup>20</sup> According to Section 55-10-425, *Tennessee Code Annotated*, a person shall not be in violation of attempting to start a vehicle with a alcohol breath level of 0.02% or failing a rolling road test if a subsequent retest within 10 minutes shows a breath alcohol concentration of 0.02% or less and review of the digital images captured by the device confirms that the same person performed both tests. A person would not be violation of failing to take or skipping a rolling road test if the review of the digital images confirms the vehicle was not occupied by the driver at the time of the retest.

## **Audit Results**

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**1. Audit Objective:** In response to the prior audit finding, did the IID Unit revise and implement the departmental IID rules to address the problems noted in the prior audit finding?

**Conclusion:** Based on our testwork, the IID Unit drafted revised IID rules; however, because the unit did not obtain full approval, the revised rules were not implemented. See **Finding 5**.

**2. Audit Objective:** In response to the prior audit finding, did the department obtain documentation of the participants' completion of the program prior to issuing unrestricted licenses?

**Conclusion:** Based on our testwork, the department obtained documentation of the participants' completion of the program prior to issuing unrestricted licenses.

**3. Audit Objective:** In response to the prior audit finding, did the department obtain and review monitoring reports to ensure the reports contained all required components?

**Conclusion:** Based on our testwork, the department obtained the required monitoring reports for each participant; however, department staff did not review the reports to ensure they contained all required information. See **Finding 5**.

**4. Audit Objective:** In response to the prior audit finding, did the department ensure provider and installer applications were complete?

**Conclusion:** Based on our testwork, the department ensured the provider and installer applications were complete.

### Methodology to Achieve Objectives

To gain an understanding of the IID Program requirements and processes, we met with the department's IID program staff and reviewed laws, rules, and regulations.

To test our objectives for the period July 1, 2016, through June 30, 2019, we obtained a list of 3,724 participants who completed the IID program. From that list, we selected a random sample of 60 participants for testwork. We also obtained a list of 8 providers and 306 unique installers approved to install and monitor IIDs for the same time period. From that list, we tested all 8 providers and selected a random sample of 60 installers for testwork. We reviewed the monitoring summary reports and certification of completeness documentation in the A-List system to determine if the department obtained documentation of completeness and reviewed the monitoring summary reports prior to issuing unrestricted licenses. We also reviewed provider and installer applications to determine if the department ensured the applications were complete in accordance with the established laws, rules, and regulations.



**Finding 5 – As noted in the prior audit finding, Ignition Interlock Device Unit management did not ensure IID monitoring reports and participant certification of compliance forms were complete in accordance with department rules**

Based on our review of the Department of Safety and Homeland Security’s rules, we found that management has not yet received approval of the draft revised Rules of the Ignition Interlock Device (IID) Program (Rules 1340-03-06). In their comments to the prior audit finding, and again in the six-month follow-up report dated April 27, 2017, management stated that the expected date of implementation for the amended rules was September 2017. Based on our review of the draft revised rule, if implemented properly, the rule changes would correct the issues noted in the prior audit finding. However, due to the lengthy process involved to revise and obtain approval of the revised departmental rules, the department did not implement the amended rules during the audit period. Based on discussion with IID program staff, the department rules (dated May 2013) were in effect for the current audit period (July 1, 2016, through June 30, 2019) and will remain in effect until the amended rules are approved by the General Assembly; thus, we performed our testwork to determine if the department complied with the rules in effect during the audit period.

Based on our review of the participants’ installation and monthly monitoring reports the provider submits to the department, we noted that reports were incomplete or contained inaccurate information. See **Table 7** for the specific noncompliance noted.

**Table 7**  
**Noncompliance With Ignition Interlock Program Monitoring Report Requirements**

Condition	Results of Testwork	Details
IID installation reports were not submitted as required, within 2 days of the device installation on the participant’s vehicle.	9 of 60 (15%)	Reports were submitted between 8 and 345 days late.
IID installation forms were missing information in required fields.	60 of 60 (100%)	The following information was missing: participant’s address (60); phone number (60), vehicle owner (60), vehicle identification number (VIN) (2), license plate number/tag (2), proof of insurance (60), device term (60), and next monitoring check date (60).
Monthly monitoring reports were incomplete.	60 of 60 (100%)	The following information was missing: mileage driven (24) and repair work applicable (60).
Certificates of compliance were not complete.	19 of 60 (32%)	IID certificates of compliance did not include the participant’s approved IID removal date and IID compliance date, which certifies that the participant complied with IID terms.

Department of Safety and Homeland Security Rule 1340-03-06-.09 states,

(1) Within two (2) working days of installation of the ignition interlock device, the Ignition Interlock Device Provider shall complete the appropriate form as designated by the Department, and submit it to the Department as proof of installation by mail, electronic transmission or facsimile. This notice shall include:

- (a) Name, address and telephone number of the Ignition Interlock Program Participant;
- (b) Owner, make, model, year, Vehicle Identification Number (VIN), license plate number, and insurance information of the vehicle to which the interlock ignition device is installed;
- (c) Serial number of the ignition interlock device installed; and
- (d) Length of ignition interlock device term, date of monitoring checks, and payment schedule.

In addition, Rule 1340-03-06-10 states,

(2) Within two (2) working days of performing a monitoring check, the Ignition Interlock Device Provider shall send to the Department by mail, electronic transmission or facsimile, the following:

- (a) Name of Ignition Interlock Program Participant whose device was monitored;
- (b) Number of miles driven during the monitoring period;
- (c) Charges for monitoring visit;
- (d) Date of next scheduled monitoring visit;
- (e) Any type of repair work performed on the ignition interlock device and probable cause for its need; and
- (f) Any areas of discussion with the Ignition Interlock Program Participant concerning problems or questions with the device or the status of the Participant.

Discussion with IID staff about the incomplete reports revealed that the draft revised rules would eliminate the participant's address, phone number, insurance information, and device term as required information on the installation reports; and would eliminate the mileage driven and repair work as required information on the monitoring reports. Staff stated that since the revised rule will not require this information, the unit did not require the information during the audit period.

Based on our review, we also noted that although required by the current department rules, the unit did not require providers to submit IID Program Status Reports, which would provide a summary of the participants' compliance in the program. Based on discussion with unit staff, the program status report did not add any benefit to monitoring the program and will not be required under the revised rules.

Without consistency between the department's practice and its established rules, the IID Unit is out of compliance with its own written policies and procedures. Without timely and complete information about program participant compliance, department management cannot take appropriate action to address noncompliance within the program requirements. Without complete certificates of compliance, the unit cannot ensure the participants complied with IID program terms and were eligible for unrestricted driver license reinstatement and authorization for removal of the IID from the participants' vehicles.

### **Recommendation**

The Commissioner and THP management should ensure the Ignition Interlock Device Unit continues to seek approval of the revised rules regarding IIDs and should ensure the rules are implemented. The unit's management should ensure program providers adequately meet all program reporting requirements.

### **Management's Comment**

We concur in part with the finding. The Commissioner and THP management will ensure the Ignition Interlock Device Unit continues to seek approval for its rule revisions and implements the new rule in a timely manner. Regarding the conditions noted in **Table 7**, the department's responses are as follows:

#### **IID installation reports were not submitted as required, within 2 days of the device installation on the participant's vehicle**

We concur in part that some reports were not submitted as required within 2 days of the device installation per Program Rules and Regulations 1340-03-06-.9, "Proof of Installation of Ignition Interlock Devices."

With the implementation of an electronic reporting system in 2016 (A-List), ignition interlock manufacturers are required to submit ignition interlock installation reports electronically. Late reports can occur for many reasons, the main one being network issues that are out of our control. Before a participant's certificate of compliance is approved, we check for 12 months of summary reports, missed service dates, and missing installation reports and ensure they are in the system before approval of the certificate of compliance. The IID program will not approve a certificate of compliance until the ignition interlock manufacturer is notified of missing reports and they are resubmitted into the electronic system.

#### **IID installation forms were missing information in required fields**

We concur in part that some of the noted information on the installation report was missing for some of the participants. We agree that installation reports did not include participants' telephone numbers, the vehicle owner, proof of insurance, and the device term; however, this information is not required fields in A-List. While we agree that the address was missing on the report for some of the participants, addresses are already included for every account in A-List and, therefore, are not necessary to collect.

Under our proposed new Program Rules and Regulations, several of the findings will be eliminated. The following information will not be a required field and will not be used by the IID Program:

- Participant's address is on the driver license information in A-List.
- Phone number is removed under proposed rules and regulations.
- Vehicle owner is removed under proposed rules and regulations.
- Proof of insurance is removed under proposed rules and regulations.
- Device term is removed under proposed rules and regulations.

The following information will remain on the reports, but will not be required fields in A-List:

- license plate number/tag,
- next monitoring visit, and
- odometer reading.

The following information will remain on the reports and will be a required field in A-List.

- Vehicle Identification Number.

The Ignition Interlock Program will meet with A-List developers to discuss program changes to ensure that the vehicle identification field is required and consists of letters and numbers.

### **Monthly monitoring reports were incomplete**

We concur in part that monthly monitoring reports were incomplete, but mileage is not a required field in A-List. Repair work is not reported into A-List, and, if this information is needed, it can be provided by the ignition interlock manufacturer.

Under our proposed new Program Rules and Regulations, several of the findings will be eliminated. The only field that will remain on the report will be the odometer reading during the monitoring period. This field will only be for participants that have probation officers. This information will not be a required field in A-List and will not be used by the IID Program for compliance purposes. Repair work will not be required in our proposed new Rules and Regulations.

### **Certificates of compliance were not complete**

We concur in part that some certificate of compliance reports did not include the participants' approved removal date and IID compliance date. We do not agree that the

participant's approved removal date and IID compliance date are needed to certify that the participant complied with IID terms.

The approved IID removal date and the IID compliance date in A-List are fields that were generated when the compliance-based removal law was passed in 2016, and we soon realized that they were unnecessary. Those are moving dates and cannot be filled in accurately by the manufacturers. We calculate these dates during our own review based on the install date, issuance of a restricted license, and full interlock requirement. The Ignition Interlock Program will meet with A-List developers to discuss program changes to ensure that the compliance date field is a required field in A-List.

## STAFF TURNOVER ANALYSIS

According to the federal Bureau of Labor Statistics, the average turnover rates for state and local governments, excluding education, for calendar years 2017 and 2018 were 20.6% and 20.0%, respectively. For our review of staff turnover, we relied on data for the state fiscal year; however, we do not believe that the difference in timeframes would result in different outcomes.

### Department Separation Statistics

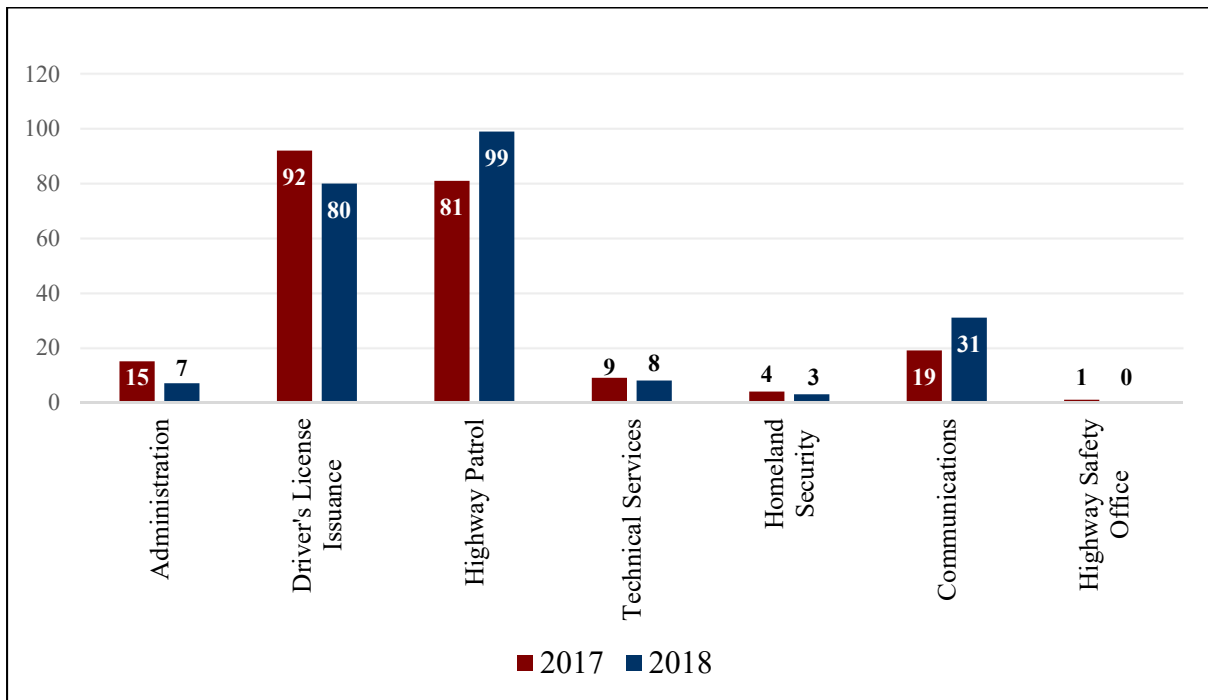
Separations from the Department of Safety and Homeland Security included employees the department dismissed, as well as employees who retired or voluntarily resigned. Total separations for fiscal years 2017 and 2018 were 449 employees. Voluntary resignations accounted for the most separations during the same period with 301, followed by retirement with 95. See **Table 8**.

**Table 8**  
**Department of Safety and Homeland Security**  
**Turnover Rates for Fiscal Years 2017 and 2018**

<b>Fiscal Year</b>	<b>Separations</b>	<b>Average Number of Employees Per Year</b>	<b>Turnover Rates</b>
2017	221	1,795	12.31%
2018	228	1,829	12.46%

Source: Edison, the state's enterprise management system.

**Figure 10**  
**Department of Safety and Homeland Security**  
**Number of Separations by Business Unit for Fiscal Years 2017 and 2018**



Source: Edison, the state's enterprise management system.

### Audit Results

**Audit Objective:** Did the department experience any turnover that affected the department's ability to meet its mission?

**Conclusion:** Based on an analysis of the department's average turnover rates for fiscal years 2017 and 2018, rates were below national averages. We noted that the three highest numbers of separations by job titles were troopers (124), driver license examiners (119), and dispatchers (55). According to management, staff turnover was a contributing factor for wait times at driver services centers. See **Finding 1**.

#### Methodology to Achieve Objective

To achieve our objective, we reviewed turnover rates for the department to gain an understanding of turnover trends. We then compared the department's turnover rates to national rates obtained from the Bureau of Labor Statistics. We also analyzed turnover rates by division to find any outliers.

## APPENDICES

### APPENDIX 1 Department of Safety and Homeland Security Business Unit Codes in Edison

Business Unit	Name
349.01	Administration
349.02	Driver's License Issuance
349.03	Highway Patrol
349.04	Motorcycle Rider Education
349.06	Auto Theft Investigations
349.07	Motor Vehicle Operations
349.08	Driver Education
349.12	Major Maintenance
349.13	Technical Services
349.15	Office of Homeland Security
349.16	Communications
349.17	Tennessee Highway Safety Office

## APPENDIX 2

### REAL ID Required Documents

# ★ REAL ID REQUIRED DOCUMENTS ★

All documents must be originals or certified. Photocopies will not be accepted.

## 1 Proof of Citizenship or Legal Presence

These documents must show the applicant's legal name and full date of birth. Applicant must present **one** (1) of the following documents:

- Birth certificate from State Office of Vital Statistics or equivalent with a raised and/or color seal
- Valid, unexpired U.S. passport or passport card
- U.S. certificate or consular report of birth abroad (FS-240, DS-1350 or FS-545)
- Valid, unexpired Permanent Resident Card issued by DHS or INS (I-551)
- Unexpired Employment Authorization Document issued by DHS (I-766 or I-688B)
- Unexpired foreign passport with valid U.S. visa and approved I-94 form
- Certificate of Naturalization issued by DHS (N-550, N-570, or N-578)
- Certificate of Citizenship issued by DHS (N-560 or N-561)

If there has been a name change from the Proof of Citizenship or Legal Presence presented, certified legal document supporting name change must be presented. This may require presentation of multiple documents. Examples of supporting documents:

- Marriage certificate
- Divorce decree
- Court order

## 2 Proof of Social Security Number

Applicant must present **one** (1) of the following approved documents showing applicant's name and full Social Security Number:

- W-2 (within last twelve (12) months)
- Social Security Card
- Payroll check stub
- 1099 (within last twelve (12) months)

## 3 Proof of Tennessee Residency

These documents must show the applicant's name and physical address. Applicant must present **two** (2) of the following documents:

- Home utility bill (within past four (4) months) i.e. Gas, electric, water from different providers; Online bills must have URL address displayed. Wireless phone plans cannot be accepted.
- Current Tennessee vehicle registration or certificate of title (may use one, not both)
- Current Tennessee Voter Registration card
- IRS tax return (within last twelve (12) months)
- Bank statement (within past four (4) months)
- Payroll check stub (within past four (4) months)
- Current rental/mortgage contract or receipt, including deed of sale for property; handwritten rental contracts or agreements must be notarized
- Current homeowner or renter insurance policy
- Current automobile, life or health insurance policy
- Receipt for personal property or real estate taxes paid within the previous year
- Installment loans, such as automobile, student loan, bank loans
- Current employer verification of resident address or letter from employer as long as it is on company letterhead with original signature; if employer does not have letterhead, then signature of employer must be notarized
- Current Driver License or ID or Concealed Handgun Carry Permit issued by the Tennessee Department of Safety to a parent, legal guardian or spouse of the applicant
- Applicant's Driver License or ID or Concealed Handgun Carry Permit issued by the Tennessee Department of Safety



Driver Services  
Division

Source: Department of Safety and Homeland Security website, <https://www.tn.gov/tnrealid/what-is-real-id.html>.



### APPENDIX 3

#### Examples of REAL IDs, Non-REAL IDs, and Uses

#### REAL ID Credential



Source: Department of Safety and Homeland Security website, <https://www.tn.gov/tnrealid/what-is-real-id.html>.

REAL ID-compliant driver licenses and identification cards have a gold circle with a star in the right corner of the license to indicate it is REAL-ID compliant.

#### Non-REAL ID Credential



Source: Department of Safety and Homeland Security website, <https://www.tn.gov/tnrealid/what-is-real-id.html>.

Non-compliant driver licenses and identification cards will display the phrase “NOT FOR FEDERAL IDENTIFICATION” on the front of the credential.

	REAL ID Driver License or ID	Standard Driver License or ID
Driving (Driver License Only)	✓	✓
General Identification Purposes	✓	✓
Boarding Domestic U.S. Flights After October 1, 2010	✓	✗
Entering Federal Facility (That Requires ID) or Military Base	✓	✗

Source: Department of Safety and Homeland Security website, <https://www.tn.gov/tnrealid/what-is-real-id.html>.

You do **NOT** need a REAL ID to

- Drive
- Vote
- Purchase alcohol
- Access hospitals
- Visit the post office
- Access federal courts
- Apply to or receive federal benefits such as social security or veterans' benefits

Source: Department of Safety and Homeland Security website, <https://www.tn.gov/tnrealid/what-is-real-id.html>.

## APPENDIX 4

### Acceptable Identification for the Transportation Security Administration



Transportation  
Security  
Administration

[What Can I Bring?](#) | [A - Z Index](#) | [Employees](#)



[Home](#) » [Travel](#) » [Security Screening](#) » [Identification](#)

[Show Sub-Menu](#)

## Identification

Adult passengers 18 and over must show valid identification at the airport checkpoint in order to travel.

- Driver's licenses or other state photo identity cards issued by Department of Motor Vehicles (or equivalent)
- U.S. passport
- U.S. passport card
- DHS trusted traveler cards (Global Entry, NEXUS, SENTRI, FAST)
- U.S. Department of Defense ID, including IDs issued to dependents
- Permanent resident card
- Border crossing card
- DHS-designated enhanced driver's license
- Federally recognized, tribal-issued photo ID
- HSPD-12 PIV card
- Foreign government-issued passport
- Canadian provincial driver's license or Indian and Northern Affairs Canada card
- Transportation worker identification credential
- U.S. Citizenship and Immigration Services Employment Authorization Card (I-766)
- U.S. Merchant Mariner Credential

Beginning Oct. 1, 2020, if you plan to use your state-issued ID or license to fly within the U.S., make sure it is REAL ID compliant. If you are not sure if your ID complies with REAL ID, check with your state department of motor vehicles.

For information on REAL ID, please visit [DHS frequently asked questions](#).

*A weapon permit is not an acceptable form of identification. A temporary driver's license is not an acceptable form of identification.*

## Children

TSA does not require children under 18 to provide identification when traveling with a companion within the United States. Contact the airline for questions regarding specific ID requirements for travelers under 18.

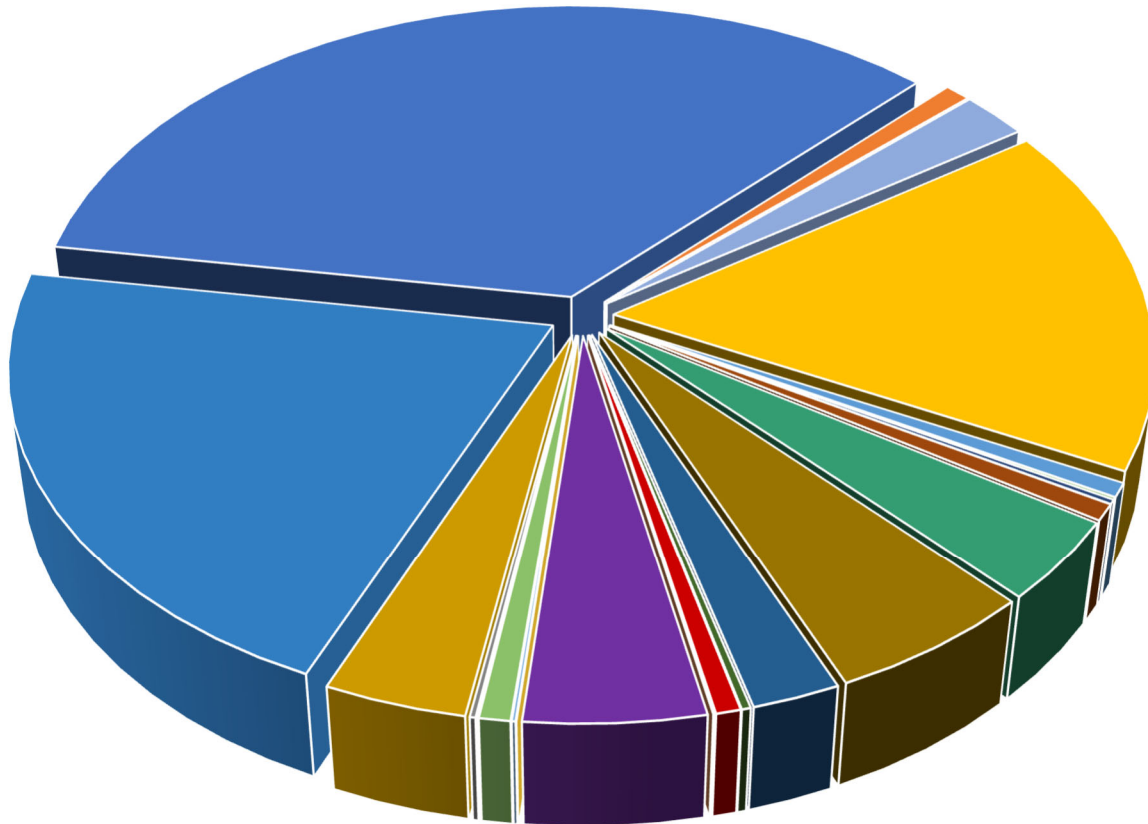
Source: Transportation Security Administration website, [www.tsa.gov](http://www.tsa.gov).

**APPENDIX 5**  
**Tennessee Department of Safety and Homeland Security**  
**Expenditure and Revenue Information by Fiscal Year**  
**UNAUDITED INFORMATION**

Description	Fiscal Year		
	2017	2018	2019†
Regular Salaries	\$ 76,241,198.43	\$ 80,598,570.09	\$ 78,962,196.77
Longevity	1,895,027.22	1,921,034.17	1,947,240.19
Overtime	4,974,077.33	5,419,964.19	5,464,048.80
Benefits	36,606,223.11	41,090,854.27	38,587,823.64
<b>Subtotal Personnel</b>	<b>119,716,526.09</b>	<b>129,030,422.72</b>	<b>124,961,309.40</b>
Travel	1,444,279.32	1,277,803.99	1,220,532.47
Printing and Duplicating	223,970.25	263,044.05	3,793,153.86
Utilities and Fuel	421,554.20	423,612.70	452,685.20
Communications	1,668,769.25	1,681,462.64	2,123,064.27
Maintenance, Repairs, and Service	8,428,539.29	9,403,502.16	9,406,470.51
Professional Services Third Party	12,182,218.95	9,592,499.62	8,099,099.70
Supplies and Materials	5,122,304.21	3,779,841.07	2,426,195.21
Rentals and Insurance	527,235.11	666,229.23	762,023.59
Motor Vehicle Operations	1,432,252.26	1,371,088.85	1,602,494.55
Awards and Indemnities	112,134.82	6,651.80	216,709.92
Grants and Subsidies	10,450,546.25	16,740,452.77	14,489,474.89
Unclassified	31,229.24	45,873.49	6,909.52
Stores for Resale/Reissue/Mfg.	(224,731.43)	(859,080.78)	-
Equipment	1,797,871.79	9,224,076.45	521,567.45
Buildings	-	755,549.38	206,582.42
Highway Construction	110,386.60	-	-
Training	335,973.24	393,375.95	256,409.16
Data Processing	8,256,256.77	10,240,752.01	9,699,331.86
Professional Services State Agencies	45,856,303.60	47,484,765.41	42,528,345.27
<b>Subtotal Operations</b>	<b>98,177,093.72</b>	<b>112,491,500.79</b>	<b>97,811,049.85</b>
<b>Total Expenditures</b>	<b>\$ 217,893,619.81</b>	<b>\$ 241,521,923.51</b>	<b>\$ 222,772,359.25</b>
Reserve - Unencumbered Bal	\$ 10,441,331.20	\$ 21,046,660.82	\$ 2,278,285.00
Reserve - Capital Outlay	371,602.10	381,194.25	-
Reserves	-	-	250,000.00
State Appropriations	143,391,736.80	166,212,908.92	163,695,371.00
<b>Total Appropriation</b>	<b>154,204,670.10</b>	<b>187,640,763.99</b>	<b>166,223,656.00</b>
Federal Revenue	20,815,069.80	28,172,709.24	22,828,462.74
Federal Capital Grants	-	-	-
Refund Prior Year Federal Expense	-	8,595.82	2,081.54
<b>Total Federal</b>	<b>20,815,069.80</b>	<b>28,181,305.06</b>	<b>22,830,544.28</b>
Counties	513,100.00	578,300.00	580,600.00
Refund of Prior Year Local Expense	-	-	-
Cities	171,300.00	246,200.00	273,900.00
Non-Governmental	136,191.35	145,000.00	127,500.00
Other State	-	-	-
Current Services	14,819,772.57	14,425,834.46	12,812,708.68
Interest Income	-	-	-
Inter-Departmental	4,470,275.90	5,027,922.03	4,056,366.83
Interdepartmental - CU	8,280.23	9,664.01	22,581.05
Current Services - Licenses	38,893,004.28	34,620,290.67	31,084,895.47
Current Services - Fines	5,735,781.78	5,564,241.31	5,292,226.83
<b>Subtotal Other Revenue</b>	<b>64,747,706.11</b>	<b>60,617,452.48</b>	<b>54,250,778.86</b>
<b>Total Funding</b>	<b>\$ 239,767,446.01</b>	<b>\$ 276,439,521.53</b>	<b>\$ 243,304,979.14</b>

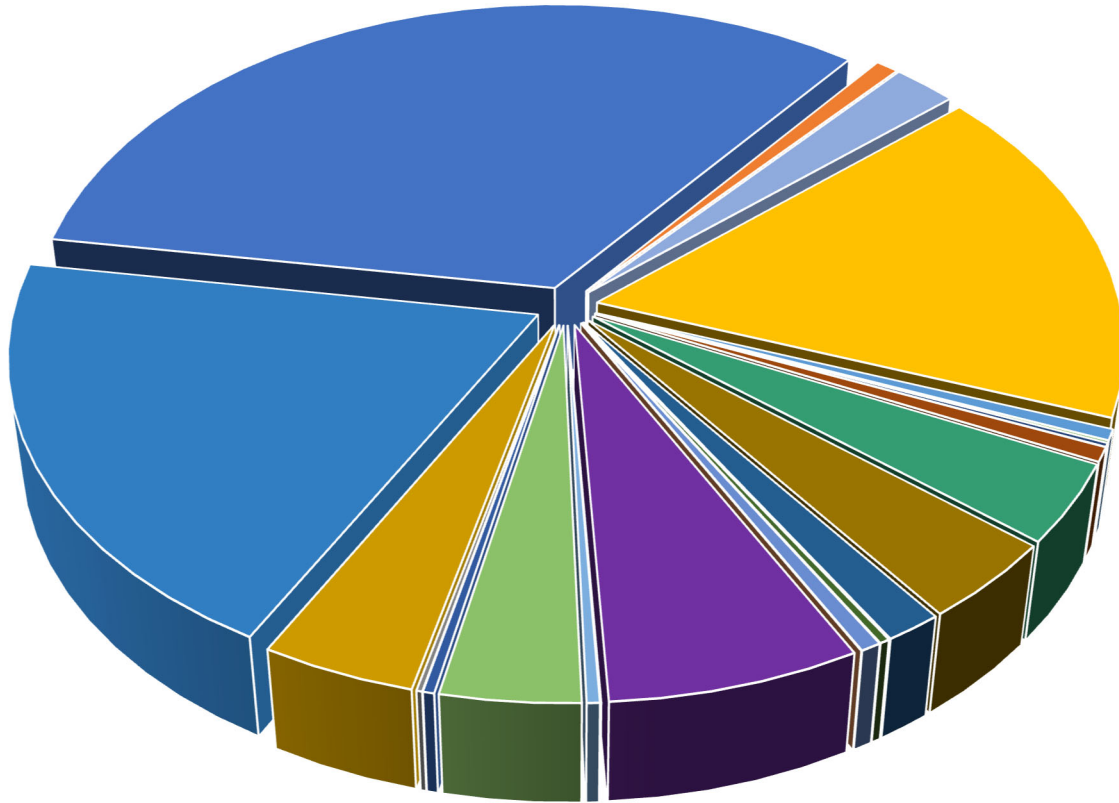
† - 2019 information is partial information and only runs through July 2, 2019.

## 2017 Chart of Expenditures By Account



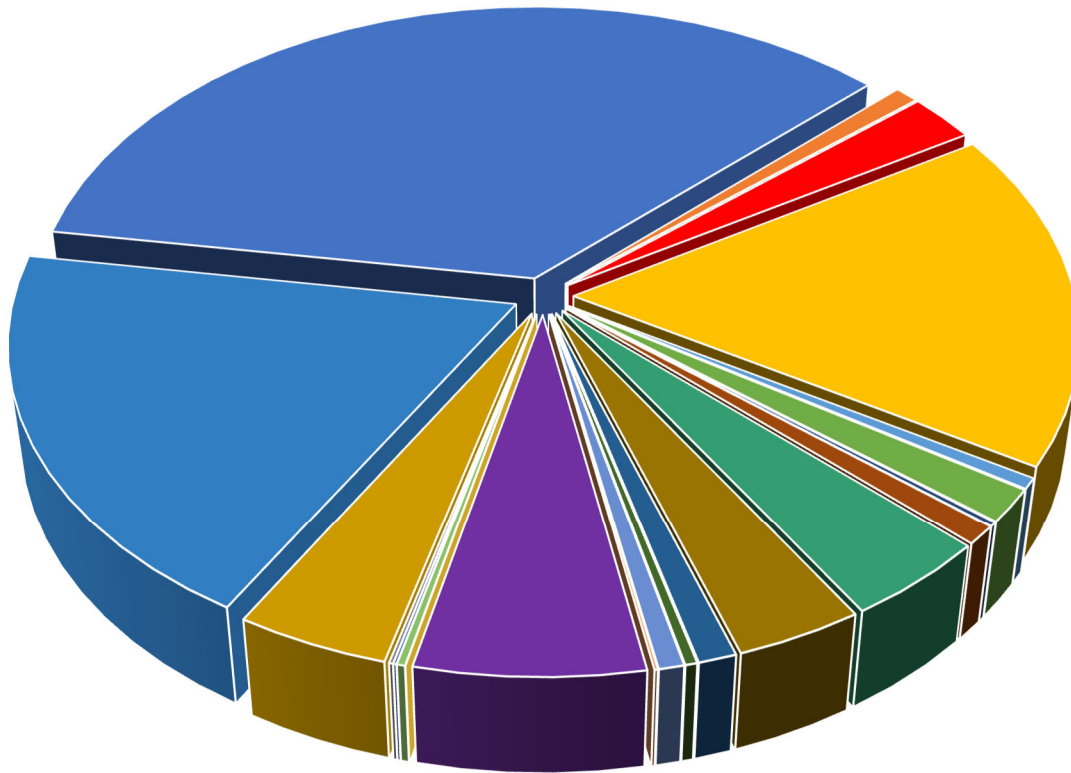
- |  |                                     |
|--|-------------------------------------|
| ■ Regular Salaries                     | ■ Longevity                         |
| ■ Overtime                             | ■ Benefits                          |
| ■ Travel                               | ■ Printing and Duplicating          |
| ■ Utilities and Fuel                   | ■ Communications                    |
| ■ Maintenance, Repairs, and Service    | ■ Professional Services Third Party |
| ■ Supplies and Materials               | ■ Rentals and Insurance             |
| ■ Motor Vehicle Operations             | ■ Awards and Indemnities            |
| ■ Grants and Subsidies                 | ■ Unclassified                      |
| ■ Stores for Resale/Reissue/Mfg.       | ■ Equipment                         |
| ■ Buildings                            | ■ Highway Construction              |
| ■ Training                             | ■ Data Processing                   |
| ■ Professional Services State Agencies |                                     |

## 2018 Chart of Expenditures By Account



- |  |                                     |
|--|-------------------------------------|
| ■ Regular Salaries                     | ■ Longevity                         |
| ■ Overtime                             | ■ Benefits                          |
| ■ Travel                               | ■ Printing and Duplicating          |
| ■ Utilities and Fuel                   | ■ Communications                    |
| ■ Maintenance, Repairs, and Service    | ■ Professional Services Third Party |
| ■ Supplies and Materials               | ■ Rentals and Insurance             |
| ■ Motor Vehicle Operations             | ■ Awards and Indemnities            |
| ■ Grants and Subsidies                 | ■ Unclassified                      |
| ■ Stores for Resale/Reissue/Mfg.       | ■ Equipment                         |
| ■ Buildings                            | ■ Highway Construction              |
| ■ Training                             | ■ Data Processing                   |
| ■ Professional Services State Agencies |                                     |

## 2019 Chart of Expenditures By Account



- |  |                                     |
|--|-------------------------------------|
| ■ Regular Salaries                     | ■ Longevity                         |
| ■ Overtime                             | ■ Benefits                          |
| ■ Travel                               | ■ Printing and Duplicating          |
| ■ Utilities and Fuel                   | ■ Communications                    |
| ■ Maintenance, Repairs, and Service    | ■ Professional Services Third Party |
| ■ Supplies and Materials               | ■ Rentals and Insurance             |
| ■ Motor Vehicle Operations             | ■ Awards and Indemnities            |
| ■ Grants and Subsidies                 | ■ Unclassified                      |
| ■ Stores for Resale/Reissue/Mfg.       | ■ Equipment                         |
| ■ Buildings                            | ■ Highway Construction              |
| ■ Training                             | ■ Data Processing                   |
| ■ Professional Services State Agencies |                                     |



## APPENDIX 6

### Title VI Information

Pursuant to state statute, the Tennessee Human Rights Commission is responsible for verifying that state governmental entities receiving federal financial assistance comply with the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination on the basis of race, color, and national origin in federally funded programs and activities. The commission serves as the central coordinating agency for executive-branch departments and agencies and provides technical assistance, consultation, and resources to encourage and assist departments and agencies with compliance.

By October 1 of each year, state departments and agencies receiving federal funds must submit Title VI implementation plans to the commission describing how they will meet Title VI requirements. The commission staff review all implementation plans each year to ensure the plans include limited English proficiency (LEP) policies and procedures; data collection procedures; and subrecipient monitoring, and whether departments provide sufficient Title VI training to staff. The commission staff also perform detailed on-site compliance reviews of a select number of state agencies each year to ensure that agencies are following the implementation plans.

The commission issues the report *Tennessee Title VI Compliance Program* (available on its website at <https://www.tn.gov/humanrights.html>), which covers the status of the Title VI compliance for the State of Tennessee. The report describes the implementation plan review process, the results of compliance reviews completed, details of federal dollars received by state agencies, Title VI complaints received, and Title VI implementation plan submission dates.

According to the commission's fiscal year 2017-2018 report (the most recent report available as of July 2018), the Department of Safety and Homeland Security's Title VI implementation plan was submitted on time. In addition, the commission's review of the department's 2017-2018 Title VI implementation plan resulted in no findings. See the charts for a breakdown of the department's employee gender and ethnicity.

Employees by Gender	
Gender	Number of Employees
Male	1,057
Female	649

Employees by Ethnicity	
Gender	Number of Employees
White	1,351
Black or African American	302
Hispanic or Latino	23
Asian	7
American Indian or Alaska Native	5
Other	14
Two or More Ethnicities	2
Unknown	2